

Executive Summary – Enforcement Matter – Case No. 49948
Pasadena Refining System, Inc
RN100716661
Docket No. 2015-0096-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s), and people or environmental receptors have been exposed to pollutants which exceed levels that are protective

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Pasadena Refining System, Inc, 111 Red Bluff Road, Pasadena, Harris County

Type of Operation:

Petroleum refinery

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, 2014-0228-MLM-E and 2016-1220-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: January 13, 2017

Comments Received: No

Penalty Information

Total Penalty Assessed: \$452,825

Total Paid to General Revenue: \$226,413

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$201,412

Name of SEP: Houston-Galveston Area Council-AERCO (Third-Party Pre-Approved)

SEP Conditional Offset: \$25,000

Name of SEP: Texas Association of Resource Conservation and Development Areas, Inc. (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: \$25,000

Applicable Penalty Policy: September 2002 and April 2014

Executive Summary – Enforcement Matter – Case No. 49948
Pasadena Refining System, Inc
RN100716661
Docket No. 2015-0096-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: September 5, 2014 through February 10, 2015, May 22, 2015, July 13, 2015 through July 27, 2015, October 19, 2015 through November 2, 2015

Date(s) of NOE(s): January 13, 2015, February 12, 2015, July 28, 2015, September 2, 2015 and January 15, 2016

Violation Information

1. Failed to submit written notification to the Houston Regional Office at least 45 days prior to conducting a stack performance test [30 TEX. ADMIN. CODE §§ 115.726(a)(2), 116.115(c), and 122.143(4), New Source Review (“NSR”) Permit No. 26891, Special Conditions (“SC”) No. 17.A., Federal Operating Permit (“FOP”) No. O1544, Special Terms and Conditions (“STC”) No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to submit a stack performance test report for the Reformatte Splitter Heater Unit (“RSHU”), Emissions Point Number (“EPN”) HTREF201, within 30 days after testing [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 26891, SC No. 17.E., FOP No. O1544, STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
3. Failed to comply with the allowable emissions rate during a stack performance test of the RSHU, EPN HTREF201 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 26891, SC No. 1, FOP No. O1544, STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
4. Failed to test for all required air contaminants emitted from the RSHU, EPN HTREF201 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 26891, SC No. 17.B., FOP No. O1544, STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
5. Failed to comply with the permitted nitrogen oxides emissions rate of 0.06 pound per million British thermal units for the RSHU, EPN HTREF201 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 26891, SC No. 2, FOP No. O1544, STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
6. Failed to prevent unauthorized emissions. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), NSR Permit No. 20246, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Executive Summary – Enforcement Matter – Case No. 49948
Pasadena Refining System, Inc
RN100716661
Docket No. 2015-0096-AIR-E

7. Failed to prevent unauthorized emissions. Since sufficient information regarding the emissions event was not provided, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(b)(2)(F) and (c), TEX. HEALTH & SAFETY CODE § 382.085(b), and NSR Permit No. 56389, SC No. 1].

8. Failed to prevent unauthorized emissions. Since the emissions event could have been prevented by better construction design, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O1544, STC No. 17, and NSR Permit No. 56389, SC No. 1].

9. Failed to prevent unauthorized emissions. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(b)(2)(F) and (c), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit No. 56389, SC No. 1, and NSR Permit No. 20246, SC No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures to prevent recurrence of emissions events due to the same or similar causes as Incident No. 219281:

- a. On August 23, 2015, replaced the failed fuse in the West Universal Descriptor Exchange Substation;
- b. On August 24, 2015, replaced the batteries for the Main Uninterruptable Power Supply and the dedicated Uninterruptable Power Supply in Satellite Instrument House 42; and
- c. On February 1, 2016, initiated a preventative maintenance work order to replace UPS batteries in Satellite Instrument House 42 based on manufacturer's recommendation.

Technical Requirements:

- 1. The Order will require the Respondent to implement and complete two SEPs (see SEP Attachments A and B).

Executive Summary – Enforcement Matter – Case No. 49948
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Docket No. 2015-0096-AIR-E

2. The Order will also require the Respondent to:

a. Within 30 days:

- i. Implement measures and/or procedures designed to prevent a recurrence of emissions events due to the same cause as Incident Nos. 203381, 215952, and 212848;
- ii. Implement measures and/or procedures to ensure that required stack performance test notifications and stack performance test reports are submitted in a timely manner;
- iii. Implement measures and/or procedures to comply with the allowable sulfur dioxide emissions rate at the RSHU, EPN HTREF201; and
- iv. Implement measures and/or procedures to comply with the allowable nitrogen oxides emissions rates at the RSHU, EPN HTREF201.

b. Within 45 days, submit written certification of compliance with a.

c. Within 60 days, perform a stack performance test for sulfur oxides emissions at the RSHU, EPN HTREF201.

d. Within 75 days, submit written certification of compliance with c.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Rajesh Acharya, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-0577; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565

Respondent: Rodrigo Abramof, Chief Executive Officer, Pasadena Refining System, Inc, 111 Red Bluff Road, Pasadena, Texas 77506

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	3-Mar-2015	Screening	4-Mar-2015	EPA Due	11-Aug-2015
	PCW	8-Sep-2016				

RESPONDENT/FACILITY INFORMATION

Respondent	Pasadena Refining System, Inc		
Reg. Ent. Ref. No.	RN100716661		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	49948	No. of Violations	5
Docket No.	2015-0096-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Rajesh Acharya
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum		\$0	Maximum
			\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$181,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	120.0% Enhancement	Subtotals 2, 3, & 7	\$217,200
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Notes: Enhancement for seven NOV's with same/similar violations, two orders with denial of liability, and two orders without denial of liability. Reduction for three Notices of Intent to conduct an audit and one Disclosure of Violations.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$14,123
Estimated Cost of Compliance \$45,500
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$398,200
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OTHER FACTORS AS JUSTICE MAY REQUIRE

Reduces or enhances the Final Subtotal by the indicated percentage.

	0.0%	Adjustment	\$0
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Notes:

Final Penalty Amount	\$398,200
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STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty	\$398,200
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DEFERRAL

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

	0.0%	Reduction	Adjustment	\$0
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Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY

\$398,200

Screening Date 4-Mar-2015

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 2 (September 2002)

Case ID No. 49948

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	7	35%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 120%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for seven NOVs with same/similar violations, two orders with denial of liability, and two orders without denial of liability. Reduction for three Notices of Intent to conduct an audit and one Disclosure of Violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 120%

Screening Date 4-Mar-2015

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 2 (September 2002)

Case ID No. 49948

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 115.726(a)(2), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit No. 26891, Special Conditions ("SC") No. 17.A., Federal Operating Permit ("FOP") No. 01544, Special Terms and Conditions ("STC") No. 17, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit written notification to the Houston Regional Office at least 45 days prior to conducting a stack performance test. Specifically, the Respondent submitted testing notification for the Reformat Splitter Heater Unit ("RSHU"), Emissions Point Number ("EPN") HTREF201, only 43 days prior to the stack performance test.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

2 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$2,500

One single event is recommended for the late written notification.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$2,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$156

Violation Final Penalty Total \$5,500

This violation Final Assessed Penalty (adjusted for limits) \$5,500

Economic Benefit Worksheet

Respondent Pasadena Refining System, Inc

Case ID No. 49948

Reg. Ent. Reference No. RN100716661

Media Air

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$500	14-Dec-2010	14-Mar-2017	6.25	\$156	n/a	\$156
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures to ensure that required stack performance test notifications and stack performance test reports are submitted in a timely manner. The Date Required is the deadline date for the required notification and the Final Date is the estimated date for completion of the corrective action.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$156

Screening Date 4-Mar-2015

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 2 (September 2002)

Case ID No. 49948

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 26891, SC No. 17.E., FOP No. O1544, STC No. 17, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit a stack performance test report for the RSHU, EPN HTREF201, within 30 days after testing. Specifically, a stack performance test was conducted on January 28, 2011 and the test results were due by February 27, 2011, but were postmarked March 14, 2011.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

15 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$2,500

One single event is recommended for the one late report.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$2,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$5,500

This violation Final Assessed Penalty (adjusted for limits) \$5,500

Economic Benefit Worksheet

Respondent Pasadena Refining System, Inc
Case ID No. 49948
Reg. Ent. Reference No. RN100716661
Media Air
Violation No. 2

Percent Interest 5.0
Years of Depreciation 15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description No commas or \$

Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/Construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)			0.00	\$0	n/a	\$0

Notes for DELAYED costs

See Economic Benefit for Violation No. 1.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/Equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date 4-Mar-2015

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 2 (September 2002)

Case ID No. 49948

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 26891, SC No. 1, FOP No. O1544, STC No. 17, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with the allowable emissions rate during a stack performance test of the RSHU, EPN HTREF201. Specifically, from December 2, 2010 to March 4, 2015, the Respondent exceeded the allowable emissions rate of 2.11 pounds per hour ("lbs/hr") for sulfur dioxide ("SO₂") by 9.1 lbs/hr, resulting in approximately 339,175 pounds ("lbs") of unauthorized SO₂.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		X	
Potential			

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 18

1553 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty \$90,000

Eighteen quarterly events are recommended from the date of the unit startup (December 2, 2010), after the failed stack performance test to the screening date (March 4, 2015).

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$90,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$6,285

Violation Final Penalty Total \$198,000

This violation Final Assessed Penalty (adjusted for limits) \$198,000

Economic Benefit Worksheet

Respondent Pasadena Refining System, Inc
Case ID No. 49948
Reg. Ent. Reference No. RN100716661
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$20,000	2-Dec-2010	14-Mar-2017	6.28	\$6,285	n/a	\$6,285

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures to comply with the allowable SO2 emissions rate at the RSHU, EPN HTREF201. The Date Required is date of the unit startup, subsequent to the date of the failed stack performance test, and the Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$20,000

TOTAL

\$6,285

Screening Date 4-Mar-2015

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 2 (September 2002)

Case ID No. 49948

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 26891, SC No. 17.B., FOP No. O1544, STC No. 17, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to test for all required air contaminants emitted from the RSHU, EPN HTREF201. Specifically, during the stack performance test conducted on January 28, 2011, the Respondent failed to test for emissions of sulfur oxides ("SO").

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

1496 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$1,000

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$1,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,553

Violation Final Penalty Total \$2,200

This violation Final Assessed Penalty (adjusted for limits) \$2,200

Economic Benefit Worksheet

Respondent Pasadena Refining System, Inc

Case ID No. 49948

Reg. Ent. Reference No. RN100716661

Media Air

Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$5,000	28-Jan-2011	14-Apr-2017	6.21	\$1,553	n/a	\$1,553
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to perform a stack performance test for SO emissions at the RSHU, EPN HTREF201. The Date Required is the date of the stack performance test and the Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$5,000	TOTAL	\$1,553
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Screening Date 4-Mar-2015

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 2 (September 2002)

Case ID No. 49948

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 26891, SC No. 2, FOP No. O1544, STC No. 17, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with the permitted nitrogen oxides ("NOx") emissions rate of 0.06 pound per million British thermal units ("lb/MMBtu") for the RSHU, EPN HTREF201. Specifically, during the stack performance test conducted on January 28, 2011, the NOx emissions rate was 0.10 lb/MMBtu, resulting in the release of approximately 41,505 lbs of NOx.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 17

1496 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$85,000

Seventeen quarterly events are recommended from the date of the failed stack performance test (January 28, 2011) to the screening date (March 4, 2015).

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$85,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$6,129

Violation Final Penalty Total \$187,000

This violation Final Assessed Penalty (adjusted for limits) \$187,000

Economic Benefit Worksheet

Respondent Pasadena Refining System, Inc
Case ID No. 49948
Reg. Ent. Reference No. RN100716661
Media Air
Violation No. 5

Percent Interest 5.0
Years of Depreciation 15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount
Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$20,000	28-Jan-2011	14-Mar-2017	6.13	\$6,129	n/a	\$6,129

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures to comply with the allowable NOx emissions rates at the RSHU, EPN HTREF201. The Date Required is the date of the stack test and the Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$20,000

TOTAL

\$6,129



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	20-Jan-2015	Screening	21-Jan-2015	EPA Due	11-Aug-2015
	PCW	8-Sep-2016				

RESPONDENT/FACILITY INFORMATION

Respondent	Pasadena Refining System, Inc		
Reg. Ent. Ref. No.	RN100716661		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	49948	No. of Violations	1
Docket No.	2015-0096-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Rajesh Acharya
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$3,750
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	100.0% Enhancement	Subtotals 2, 3, & 7	\$3,750
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Notes: Enhancement for seven NOV's with same/similar violations, two orders with denial of liability, and two orders without denial of liability. Reduction for three Notices of Intent to conduct an audit and one Disclosure of Violations.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$629
Estimated Cost of Compliance \$5,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$7,500
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$7,500
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$7,500
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$7,500
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Screening Date 21-Jan-2015

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 4 (April 2014)

Case ID No. 49948

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	7	35%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 120%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for seven NOVs with same/similar violations, two orders with denial of liability, and two orders without denial of liability. Reduction for three Notices of Intent to conduct an audit and one Disclosure of Violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 120%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 21-Jan-2015

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Case ID No. 49948

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 116.115(c), New Source Review Permit No. 20246, Special Conditions No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,875 pounds ("lbs") of particulate matter ("PM"), 3.6 lbs of carbon monoxide, 23.36 lbs of nitrogen oxides, and 35.03 lbs of sulfur dioxide at the fluidized catalytic cracking ("FCC") unit from the FCC Seal Pot Stack, Emissions Point Number ("EPN") VTFCC003, and 326.6 lbs of PM from the Electrostatic Precipitator Stack ("ESP"), EPN HTBLR010, during an emissions event (Incident No. 203381) that began on September 8, 2014 and lasted for three hours. In response to a potentially hazardous condition, the FCC Regenerator operator followed the procedure of shutting down the ESP and bypassing the boiler, resulting in unauthorized emissions. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$629

Violation Final Penalty Total \$7,500

This violation Final Assessed Penalty (adjusted for limits) \$7,500

Economic Benefit Worksheet

Respondent Pasadena Refining System, Inc
Case ID No. 49948
Reg. Ent. Reference No. RN100716661
Media Air
Violation No. 1

Percent Interest 5.0
Years of Depreciation 15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	8-Sep-2014	14-Mar-2017	2.52	\$629	n/a	\$629

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures designed to prevent a recurrence of emissions events due to the same cause as Incident No. 203381. The Date Required is the date the emissions event occurred and the Final Date is the date that corrective measures are expected to be completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$629



Policy Revision 4 (April 2014)

Penalty Calculation Worksheet (PCW)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	12-Oct-2015	Screening	19-Oct-2015	EPA Due	
	PCW	8-Sep-2016				

RESPONDENT/FACILITY INFORMATION

Respondent	Pasadena Refining System, Inc		
Reg. Ent. Ref. No.	RN100716661		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	49948	No. of Violations	1
Docket No.	2015-0096-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Rajesh Acharya
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum		\$0	Maximum
			\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$7,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **100.0%** **Adjustment** **Subtotals 2, 3, & 7** **\$7,500**

Notes: Enhancement for six NOVs with same or similar violations, three NOVs with dissimilar violations, two orders with denial of liability, and two orders without denial of liability. Reduction for three notices of intent to conduct an audit and one disclosure of violations.

Culpability **No** **0.0%** **Enhancement** **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **\$0**

Economic Benefit **0.0%** **Enhancement*** **Subtotal 6** **\$0**

Total EB Amounts \$436
Estimated Cost of Compliance \$5,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$15,000**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** **Adjustment** **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount **\$15,000**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$15,000**

DEFERRAL **0.0%** **Reduction** **Adjustment** **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY **\$15,000**

Screening Date 19-Oct-2015

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 4 (April 2014)

Case ID No. 49948

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Compliance History Worksheet>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	6	30%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 121%>> **Repeat Violator (Subtotal 3)**

No

Adjustment Percentage (Subtotal 3) 0%>> **Compliance History Person Classification (Subtotal 7)**

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%>> **Compliance History Summary****Compliance History Notes**

Enhancement for six NOVs with same or similar violations, three NOVs with dissimilar violations, two orders with denial of liability, and two orders without denial of liability. Reduction for three notices of intent to conduct an audit and one disclosure of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 121%>> **Final Compliance History Adjustment****Final Adjustment Percentage *capped at 100%** 100%

Screening Date 19-Oct-2015

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 4 (April 2014)

Case ID No. 49948

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(b)(2)(F) and (c), Tex. Health & Safety Code § 382.085(b), and New Source Review Permit No. 56389, Special Conditions No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 17,764 pounds ("lbs") of volatile organic compounds, including 637 lbs of hexane, a hazardous air pollutant, from the Udex Fugitives, Emissions Point Number FUDPU001, during an emissions event (Incident No. 215952) that began on June 17, 2015 and lasted for two hours and 15 minutes. The incident occurred when an elbow in the deadleg portion of the 2-inch Normal Butane Line ruptured in the Udex Unit. Since sufficient information regarding the emissions event was not provided, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

	Major	Moderate	Minor
Release			
Actual		x	
Potential			

Percent 30.0%

>> Programmatic Matrix

	Major	Moderate	Minor
Falsification			

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$436

Violation Final Penalty Total \$15,000

This violation Final Assessed Penalty (adjusted for limits) \$15,000

Economic Benefit Worksheet

Respondent Pasadena Refining System, Inc
Case ID No. 49948
Reg. Ent. Reference No. RN100716661
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	17-Jun-2015	14-Mar-2017	1.74	\$436	n/a	\$436

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures designed to prevent a recurrence of emissions events due to the same cause as Incident No. 215952. The Date Required is the date the emissions event occurred and the Final Date is the date that corrective measures are expected to be completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$436



Penalty Calculation Worksheet (PCW)

TCEQ

DATES	Assigned	3-Aug-2015	Screening	18-Aug-2015	EPA Due	
	PCW	8-Sep-2016				

RESPONDENT/FACILITY INFORMATION

Respondent	Pasadena Refining System, Inc		
Reg. Ent. Ref. No.	RN100716661		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	49948	No. of Violations	1
Docket No.	2015-0096-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Rajesh Acharya
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum		\$0	Maximum
			\$25,000

Penalty Calculation Section**TOTAL BASE PENALTY (Sum of violation base penalties)****Subtotal 1** \$25,000**ADJUSTMENTS (+/-) TO SUBTOTAL 1**

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 100.0% Enhancement **Subtotals 2, 3, & 7** \$25,000

Notes: Enhancement for two orders with denial of liability, two orders without denial of liability, five NOV's with same/similar violations, and three NOV's with dissimilar violations. Reduction for three Notices of Intent to conduct an audit and one Disclosure of Violations.

Culpability No 0.0% Enhancement **Subtotal 4** \$0

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** \$0**Economic Benefit** 0.0% Enhancement* **Subtotal 6** \$0

Total EB Amounts \$476
Estimated Cost of Compliance \$5,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$50,000**OTHER FACTORS AS JUSTICE MAY REQUIRE** 0.0% **Adjustment** \$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount \$50,000**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty** \$25,000**DEFERRAL** 0.0% Reduction **Adjustment** \$0

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY \$25,000

Screening Date 18-Aug-2015

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 4 (April 2014)

Case ID No. 49948

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	5	25%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 116%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Enhancement for two orders with denial of liability, two orders without denial of liability, five NOVs with same/similar violations, and three NOVs with dissimilar violations. Reduction for three Notices of Intent to conduct an audit and one Disclosure of Violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 116%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 18-Aug-2015

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 4 (April 2014)

Case ID No. 49948

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit No. O1544, Special Terms and Conditions No. 17, and New Source Review Permit No. 56389, Special Conditions No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 25,674.30 pounds ("lbs") of propane and 25.70 lbs of hydrofluoric acid during an emissions event (Incident No. 212848) that occurred on April 19, 2015 and lasted 16 hours and 33 minutes. The release occurred due to a 5-inch by 2.25-inch hole that had developed in a corroded 14-inch flare line after an overpressure event in the Alky 1 Unit. A pressure safety valve in the Alky 1 Unit lifted and sent material through the corroded flare line. Since this event could have been prevented by better construction design, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$0

\$25,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	x
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$25,000

One daily event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$25,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$476

Violation Final Penalty Total \$50,000

This violation Final Assessed Penalty (adjusted for limits) \$25,000

Economic Benefit Worksheet

Respondent Pasadena Refining System, Inc
Case ID No. 49948
Reg. Ent. Reference No. RN100716661
Media Air
Violation No. 1

Percent Interest 5.0
Years of Depreciation 15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount
Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	19-Apr-2015	14-Mar-2017	1.90	\$476	n/a	\$476

Notes for DELAYED costs

Estimated cost to implement measures and/or procedures designed to prevent a recurrence of emissions events due to the same cause as Incident No. 212848. Date Required is the date the emissions event began. Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$5,000

TOTAL \$476



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	20-Jan-2016	Screening	26-Jan-2016	EPA Due	
	PCW	8-Sep-2016				

RESPONDENT/FACILITY INFORMATION

Respondent	Pasadena Refining System, Inc		
Reg. Ent. Ref. No.	RN100716661		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	49948	No. of Violations	1
Docket No.	2015-0096-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Rajesh Acharya
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$3,750
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	100.0%	Adjustment	Subtotals 2, 3, & 7	\$3,750
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Notes: Enhancement for six NOV's with same/similar violations, two NOV's with dissimilar violations, three orders containing a denial of liability, and two orders without a denial of liability. Reduction for three notices of intent to conduct an audit and one disclosure of violations.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$375
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$56
Estimated Cost of Compliance \$5,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$7,125
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OTHER FACTORS AS JUSTICE MAY REQUIRE

0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$7,125
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STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty	\$7,125
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DEFERRAL

0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$7,125
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Screening Date 26-Jan-2016

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 4 (April 2014)

Case ID No. 49948

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	6	30%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 139%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for six NOVs with same/similar violations, two NOVs with dissimilar violations, three orders containing a denial of liability, and two orders without a denial of liability. Reduction for three notices of intent to conduct an audit and one disclosure of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 139%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 26-Jan-2016

Docket No. 2015-0096-AIR-E

PCW

Respondent Pasadena Refining System, Inc

Policy Revision 4 (April 2014)

Case ID No. 49948

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100716661

Media [Statute] Air

Enf. Coordinator Rajesh Acharya

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 116.115(b)(2)(F) and (c), Tex. Health & Safety Code § 382.085(b), New Source Review ("NSR") Permit No. 56389, Special Conditions ("SC") No. 1, and NSR Permit No. 20246, SC No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 126.20 pounds ("lbs") of particulate matter ("PM") from the Electrostatic Precipitator, Emission Point Number ("EPN") HTBLR010; 2,232 lbs of PM, 105 lbs of carbon monoxide ("CO"), 504 lbs of nitrogen oxides ("NOx"), 1,104.60 lbs of sulfur dioxide, and 33.81 lbs of volatile organic compounds ("VOC") from the Seal Pot Stack, EPN VTFCC003; and 200.02 lbs of VOC, 259.44 lbs of CO, and 26.59 lbs of NOx from the West Flare, EPN FLRFNWEST, during an avoidable emissions event (Incident No. 219281) that began on August 23, 2015 and lasted for 72 hours and 33 minutes. The event occurred when an Uninterruptable Power Supply ("UPS") failed to maintain power during power fluctuations, resulting in releases to the atmosphere and flaring. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release

Major

Moderate

Minor

Actual

Potential

Percent 15.0%

>> Programmatic Matrix

Falsification

Major

Moderate

Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events

1

4

Number of violation days

mark only one
with an x

daily
weekly
monthly
quarterly
semiannual
annual
single event

x

Violation Base Penalty \$3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction \$375

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

N/A

x

(mark with x)

Notes

The Respondent completed corrective measures on February 1, 2016, after the January 15, 2016 NOE.

Violation Subtotal \$3,375

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

\$56

Violation Final Penalty Total

\$7,125

This violation Final Assessed Penalty (adjusted for limits)

\$7,125

Economic Benefit Worksheet

Respondent Pasadena Refining System, Inc
Case ID No. 49948
Reg. Ent. Reference No. RN100716661
Media Air
Violation No. 1

Percent Interest 5.0
Years of Depreciation 15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount
Item Description No commas or \$

Delayed Costs

Equipment	\$2,500	23-Aug-2015	24-Aug-2015	0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,500	23-Aug-2015	1-Feb-2016	0.44	\$55	n/a	\$55

Notes for DELAYED costs

Estimated cost to replace the failed fuse in the West Universal Descriptor Exchange Substation and to replace the batteries for the Main UPS and the dedicated UPS in the Satellite Instrument House ("SIH") 42 (\$2,500); and to initiate a preventative maintenance work order to replace UPS batteries in SIH 42 based on manufacturer's recommendation (\$2,500) to prevent recurrence of emissions events due to the same or similar causes as Incident No. 219281. The Date Required is the date the emissions event began and the Final Dates are the dates of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$56

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PENDING Compliance History Report for CN603137605, RN100716661, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

Customer, Respondent, or Owner/Operator: CN603137605, Pasadena Refining System, Inc **Classification:** SATISFACTORY **Rating:** 16.47

Regulated Entity: RN100716661, PASADENA REFINING SYSTEM **Classification:** SATISFACTORY **Rating:** 16.47

Complexity Points: 33 **Repeat Violator:** NO

CH Group: 02 - Oil and Petroleum Refineries

Location: 111 RED BLUFF RD PASADENA, TX 77506-1530, HARRIS COUNTY

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0175D

AIR OPERATING PERMITS PERMIT 3711

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXD008091290

WASTEWATER PERMIT WQ0000574000

AIR NEW SOURCE PERMITS PERMIT 3776

AIR NEW SOURCE PERMITS PERMIT 5953

AIR NEW SOURCE PERMITS REGISTRATION 12244

AIR NEW SOURCE PERMITS REGISTRATION 14133

AIR NEW SOURCE PERMITS PERMIT 22039

AIR NEW SOURCE PERMITS REGISTRATION 29623

AIR NEW SOURCE PERMITS REGISTRATION 76022

AIR NEW SOURCE PERMITS AFS NUM 4820100006

AIR NEW SOURCE PERMITS REGISTRATION 29628

AIR NEW SOURCE PERMITS REGISTRATION 37366

AIR NEW SOURCE PERMITS REGISTRATION 42719

AIR NEW SOURCE PERMITS REGISTRATION 81553

AIR NEW SOURCE PERMITS REGISTRATION 82764

AIR NEW SOURCE PERMITS PERMIT 56389

AIR NEW SOURCE PERMITS REGISTRATION 89587

AIR NEW SOURCE PERMITS REGISTRATION 92237

AIR NEW SOURCE PERMITS REGISTRATION 93259

AIR NEW SOURCE PERMITS REGISTRATION 101327

AIR NEW SOURCE PERMITS REGISTRATION 112571

AIR NEW SOURCE PERMITS REGISTRATION 113020

AIR NEW SOURCE PERMITS REGISTRATION 131579

AIR NEW SOURCE PERMITS REGISTRATION 109065

IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION

(SWR) 30311

POLLUTION PREVENTION PLANNING ID NUMBER

P00159

AIR OPERATING PERMITS PERMIT 1544

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50112

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 30311

WASTEWATER EPA ID TX0004626

AIR NEW SOURCE PERMITS PERMIT 5639

AIR NEW SOURCE PERMITS PERMIT 6059

AIR NEW SOURCE PERMITS REGISTRATION 13494

AIR NEW SOURCE PERMITS PERMIT 20246

AIR NEW SOURCE PERMITS PERMIT 26891

AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0175D

AIR NEW SOURCE PERMITS PERMIT 76192

AIR NEW SOURCE PERMITS REGISTRATION 15114

AIR NEW SOURCE PERMITS REGISTRATION 37094

AIR NEW SOURCE PERMITS REGISTRATION 42375

AIR NEW SOURCE PERMITS PERMIT 80804

AIR NEW SOURCE PERMITS REGISTRATION 44511

AIR NEW SOURCE PERMITS REGISTRATION 87987

AIR NEW SOURCE PERMITS REGISTRATION 87919

AIR NEW SOURCE PERMITS REGISTRATION 84630

AIR NEW SOURCE PERMITS REGISTRATION 91511

AIR NEW SOURCE PERMITS REGISTRATION 95578

AIR NEW SOURCE PERMITS REGISTRATION 101932

AIR NEW SOURCE PERMITS REGISTRATION 124279

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX816

AIR NEW SOURCE PERMITS REGISTRATION 118791

AIR QUALITY NON PERMITTED ACCOUNT NUMBER

HG0175D

AIR EMISSIONS INVENTORY ACCOUNT NUMBER

HG0175D

Compliance History Period: September 01, 2010 to August 31, 2015 **Rating Year:** 2015 **Rating Date:** 09/01/2015

Date Compliance History Report Prepared: October 13, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: October 13, 2010 to October 13, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Carol McGrath

Phone: (210) 403-4063

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 06/20/2011 ADMINORDER 2009-1807-AIR-E (**Findings Order-Agreed Order Without Denial**)

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(1)
 30 TAC Chapter 115, SubChapter H 115.725(c)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01544, SC 1.A OP

Description: Failure to continuously monitor two affected pressure safety valves (PSVs) 14PSV-1321 and 14PSV-1320 that vent directly to the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter F 101.221(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Special Conditon No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. PRS failed to maintain a flame on the West Flare at all times,

VIOLATION TRACK NO. 380805 WAS COMBINED WITH 380807.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter F 101.221(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. Failure to maintain a flame on the West Flare (FLRNWEST) at all times.

violation track no. 381128 and 381131 were combined.

Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions. Failure to operate the West Flare (FLRFNWEST) with a flame present at all times.

violation track no. 381128 and 381131 were combined.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to conduct an extraordinary repair attempt within 30 days or isolate a leaking valve.

This was split up into 2 violations (violations 4 and 5) in the pcw and agreed order at the recommendation of upper management.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: 82764, Condition No. (4)(B)(iii) PERMIT

Description: Failed to comply with the 0.036 pound per million British thermal units ("lb/mmBtu") nitrogen oxides ("NOx") emission limit for EPN TMPBLR001. This violation was moved over to agreed order docket no. 2009-1807-AIR-E and this

case was admin resolved.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 OP

Description: Failure to prevent unauthorized emissions. Loss of Affirmative Defense Due to Late Reporting

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THSC Chapter 382 382.085(b)

Description: Failure to submit the initial notification of a reportable emissions event in a timely manner.

2

Effective Date: 02/10/2013

ADMINORDER 2010-2073-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Special Condition 12 PERMIT

Special Condition 4 PERMIT

Special Term & Condition 17 OP

Special Term & Condition 1A OP

Description: Failure to comply with the 1 hour limit of 162 ppm H₂S in fuel gas for a total of 107 hourly incidents. (Category A.12.i.6 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 12 PERMIT

Special Term & Condition 17 OP

Special Term & Condition 1A OP

Description: Failure of the SRU Incinerator (UNIT ID SRUIN001), to comply with the SO₂ 250 parts per million (ppm) limit for 977 hourly incidents. (Category B18 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 5 PERMIT

Special Term & Condition 17 OP

Description: Failure to operate the SRU Incinerator (UNIT ID SRUIN001), with the required minimum temperature of 2300 degrees Fahrenheit (F). (Category B18 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 6 PERMIT

Special Term & Condition 17 OP

Description: Failure to maintain the scrubbing solution pH level in the Sorbent Regeneration System Caustic Scrubber. The pH level dipped below the required pH level of 7.5 during recirculation. (Category B18 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 6 PERMIT

Special Term & Condition 17 OP

Description: Failure to maintain CO emissions, for Unit ID BLRHT006, to the required 50 ppm limit. (Category A.12.i.6 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 4 PERMIT

Special Term & Condition 17 OP

Description: Failure to maintain the O2 level at or above the required 3% in the SRU Incinerator stack (UNIT ID SRUIN001). (Category B18 Violation)

Violation Track No 410217 was combined with 410218

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 6E PERMIT

Special Term & Condition 1A OP

Description: Failure to limit analyzer downtime of the HRVOC analyzers monitoring the East and West Flare (Unit IDs RFNFLEAST and RFNFLWEST) to less than 5 percent. (Category B18 Violation)

Violation Track No 410226 was combined with 410227, violation track no. 410227 was deleted from the CCEDS window.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Special Term & Condition 17 OP

Description: Failure to comply with the VOC annual tons per year limit for five sources across the refinery. (Category A.12.i.6 Violation)

Violation Track No 410257 was combined with 410260, violation track no. 410257 was deleted from the CCEDS window.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Term & Condition 2F OP

Description: Failure to file an initial report of an emission event within 24 hours of discovering the event for EPN VTFCC001 on November 12, 2008. (Category A.12.i.8 Violation)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 14 PERMIT

Special Condition 4 PERMIT

Special Term & Condition 17 OP

Description: Failure to monitor and maintain tank loading rates for 39 tanks. (Category A.12.i.6 Violation)

3

Effective Date: 08/22/2014

ADMINORDER 2014-0763-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.121
30 TAC Chapter 122, SubChapter B 122.133(2)
30 TAC Chapter 122, SubChapter C 122.241(b)
5C THSC Chapter 382 382.054
5C THSC Chapter 382 382.085(b)

Description: Failed to submit a permit renewal application at least six months prior to the expiration of a FOP. Specifically, on May 27, 2014, the Respondent voluntarily disclosed that FOP No. O1544 expired on May 26, 2014 and the Plant continues to operate.

4

Effective Date: 05/23/2015

ADMINORDER 2014-1376-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a boiler trip and instability in the FCC Regenerator which resulted in unauthorized emissions. (Category A8c2Aii)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent solids from plugging the intake screen on the FCCU charge pump which resulted in unauthorized emissions. (Category A12i6)

B. Criminal convictions: N/A

C. Chronic excessive emissions events: N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	October 14, 2010	(881479)
Item 2	November 04, 2010	(888010)
Item 3	December 06, 2010	(896212)
Item 4	February 09, 2011	(909057)
Item 5	March 14, 2011	(916321)
Item 6	March 29, 2011	(900642)
Item 7	April 06, 2011	(924762)
Item 8	May 09, 2011	(938001)
Item 9	May 23, 2011	(843681)
Item 10	June 07, 2011	(945325)
Item 11	June 24, 2011	(920562)
Item 12	July 07, 2011	(952599)
Item 13	July 18, 2011	(933365)
Item 14	August 12, 2011	(959280)
Item 15	September 06, 2011	(965313)
Item 16	October 13, 2011	(971353)
Item 17	November 10, 2011	(964269)
Item 18	November 22, 2011	(977513)
Item 19	January 05, 2012	(965182)
Item 20	January 10, 2012	(990581)
Item 21	February 07, 2012	(997942)
Item 22	May 11, 2012	(1016424)
Item 23	May 23, 2012	(1006401)
Item 24	July 09, 2012	(1031540)
Item 25	August 16, 2012	(1037916)
Item 26	September 04, 2012	(1046644)
Item 27	September 11, 2012	(1019527)
Item 28	October 01, 2012	(1024045)
Item 29	October 02, 2012	(1060794)
Item 30	November 05, 2012	(1030088)
Item 31	November 12, 2012	(1060795)
Item 32	December 07, 2012	(1060796)
Item 33	December 19, 2012	(1036091)
Item 34	January 07, 2013	(1035210)
Item 35	January 09, 2013	(1078917)
Item 36	February 06, 2013	(1078916)
Item 37	March 07, 2013	(1089282)
Item 38	April 08, 2013	(1095676)
Item 39	April 12, 2013	(1075621)
Item 40	May 07, 2013	(1106600)
Item 41	June 07, 2013	(1110277)
Item 42	July 09, 2013	(1117161)
Item 43	August 08, 2013	(1124917)
Item 44	August 13, 2013	(1100738)
Item 45	September 12, 2013	(1129517)
Item 46	October 03, 2013	(1135247)
Item 47	November 18, 2013	(1120785)
Item 48	November 22, 2013	(1140647)
Item 49	December 17, 2013	(1147104)
Item 50	January 08, 2014	(1153174)
Item 51	January 17, 2014	(1139866)

Item 52	February 05, 2014	(1160509)
Item 53	March 14, 2014	(1167154)
Item 54	April 10, 2014	(1174287)
Item 55	May 15, 2014	(1180475)
Item 56	May 30, 2014	(1159088)
Item 57	June 18, 2014	(1187373)
Item 58	July 11, 2014	(1198495)
Item 59	August 19, 2014	(1198496)
Item 60	September 04, 2014	(1171606)
Item 61	September 17, 2014	(1205778)
Item 62	October 13, 2014	(1212190)
Item 63	November 13, 2014	(1218442)
Item 64	December 08, 2014	(1224221)
Item 65	January 07, 2015	(1196025)
Item 66	January 08, 2015	(1202924)
Item 67	January 14, 2015	(1198096)
Item 68	January 30, 2015	(1216183)
Item 69	February 09, 2015	(1242258)
Item 70	March 06, 2015	(1248587)
Item 71	April 02, 2015	(1255487)
Item 72	May 15, 2015	(1262197)
Item 73	June 16, 2015	(1269366)
Item 74	July 08, 2015	(1276912)
Item 75	July 24, 2015	(1253436)
Item 76	August 10, 2015	(1283089)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	10/28/2014	(1192149)	CN603137605
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT		
	Description:	Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent the lateral distribution line for the water softener from failing which resulted in unauthorized emissions. (Category B13)		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to include the total quantity of all compounds released as a result of an emissions event. (Category C3)		
2	Date:	11/19/2014	(1185212)	CN603137605
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to include the total quantity of all compounds released as a result of an emissions event. (Category C3)		
3	Date:	02/23/2015	(1211308)	CN603137605
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 5C THSC Chapter 382 382.085(b) Special Condition 6A PERMIT ST&C 1A and 17 OP		
	Description:	Failure to maintain net heating value above 300 Btu/scf for facility flares. (Category B19g(1) Violation)		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i) 5C THSC Chapter 382 382.085(b) ST&C 1A OP		

Description: Failure to complete internal tank inspections in a timely manner. (Category B1 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to obtain a manual sample from Flare RNFLEAST in a timely manner. (Category B1 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Conditions 8 and 10 PERMIT
ST&C 17 OP

Description: Failure to maintain maximum loading rates below permitted limits. (Category B19g1 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to replace carbon canisters within 24 hours after breakthrough. (Category B19g1 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 20 PERMIT
ST&C 1A and 17 OP

Description: Failure to maintain NOx performance standard for stationary engine (EPN: ENDHT002). (Category B19g1 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21 PERMIT
ST&C 1A and 17 OP

Description: Failure to maintain CO performance standard for stationary engine (EPN: ENDHT001). (Category B19g1 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
ST&C 17 OP

Description: Failure to maintain CO concentrations below 50 ppm on Boiler No. 6. (Category B18 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
ST&C 17 OP

Description: Failure to maintain NOx lb/MMBtu emissions below permitted limits from Boilers 4 and 6. (Category B18 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
ST&C 17 OP

Description: Failure to maintain CO lb/MMBtu emissions below permitted limits from Boiler 4. (Category B18 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 4 PERMIT
ST&C 17 OP

Description: Failure to maintain greater than 3 percent oxygen in SRUIN001. (Category B19(g)1 Violation)

	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 22 PERMIT ST&C 1A and 17 OP		
	Description:	Failure to maintain VOC concentrations in cooling water below permitted limits from FUCTION. (Category B18 Violation)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i) 5C THSC Chapter 382 382.085(b) Special Condition 12 PERMIT ST&C 17 OP		
	Description:	Failure to limit sulfur dioxide concentrations in fuel gas below permitted limits in SRUIN001. (Category B18 Violation)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THSC Chapter 382 382.085(b) General Terms & Conditions OP		
	Description:	Failure to report all deviations during the compliance period. (Category B3 Violation)		
4	Date:	04/30/2015 (1239367)	CN603137605	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT		
	Description:	Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a loss of plant air and steam header pressure which resulted in unauthorized emissions.		
5	Date:	06/01/2015 (1239994)	CN603137605	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 335, SubChapter F 335.152(a)(17) 40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.75 II-C, II-B-7, and X-A-2 PERMIT		
	Description:	Biennial report was not prepared and submitted		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 335, SubChapter Q 335.474 30 TAC Chapter 335, SubChapter Q 335.475 II-C PERMIT		
	Description:	P2 summary was not submitted in time.		
6	Date:	07/01/2015 (1247019)	CN603137605	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT		
	Description:	Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a piece of piping from striking a high point bleeder valve that resulted in unauthorized emissions. (Category B13)		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 101, SubChapter F 101.201(f) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to provide additional information within the time requested. (Category C3)		
7	Date:	07/13/2015 (1211300)	CN603137605	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 115, SubChapter E 115.453(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) ST&C 1A OP		
	Description:	Failure to comply with Chapter 115 Surface Coating regulations. (Category B19g1 Violation)		
8	Date:	09/25/2015 (1265936)	CN603137605	

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)
5C THSC Chapter 382 382.085(b)
Description: Failure to submit the Final Report for a reportable shutdown activity within two weeks following the end of the activity.

9 Date: 10/05/2015 (1265883) CN603137605
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent the landing of the internal floating roof in Tank 353 which resulted in unauthorized emissions.

F. Environmental audits:

Notice of Intent Date: 07/29/2011 (944910)

Disclosure Date: 10/24/2011

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(A)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
40 CFR Part 60, Subpart QQQ 60.693-2(a)(2)

Description: Failed to have gaskets on the flip top guage hatches at the top of the guidepoles for Tanks 065, 301, 328, 342, 343, 348, 353, 400, 814, 815, 822, 825, 827, 830, and 831.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(A)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(ii)

Description: Failed to have gaskets for the guage float wells for Tanks 810 and 813, and the gasket on the guidepole guage hatch on Tank 811 was no long sealing properly and needs repair. In addition, the guidepole wiper on Tank 830 was saturateed with oil, probably indicating a bad gasket.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(B)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(i)
40 CFR Part 60, Subpart QQQ 60.693-2(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(f)(3)

Description: Failed to have the vacuum breaker closed on Tanks 400, 812, 818, 822, 825, and 830 even though the tank roofs are not landed or floating off.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(G)

Description: Failed to equip the guidepoles with emission control devices for Tanks 810, 815, and 825.

Notice of Intent Date: 10/17/2012 (1041087)

No DOV Associated

Notice of Intent Date: 03/26/2015 (1241033)

No DOV Associated

G. Type of environmental management systems (EMSs): N/A

H. Voluntary on-site compliance assessment dates: N/A

I. Participation in a voluntary pollution reduction program: N/A

J. Early compliance: N/A

Sites Outside of Texas: N/A

The TCEQ is committed to accessibility.

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TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN603137605, RN100716661, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN603137605, Pasadena Refining System, Inc **Classification:** SATISFACTORY **Rating:** 20.05

Regulated Entity: RN100716661, PASADENA REFINING SYSTEM **Classification:** SATISFACTORY **Rating:** 20.05

Complexity Points: 29 **Repeat Violator:** NO

CH Group: 02 - Oil and Petroleum Refineries

Location: 111 RED BLUFF RD PASADENA, TX 77506-1530, HARRIS COUNTY

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0175D

AIR OPERATING PERMITS PERMIT 3711

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXD008091290

WASTEWATER PERMIT WQ0000574000

AIR NEW SOURCE PERMITS PERMIT 3776

AIR NEW SOURCE PERMITS PERMIT 5953

AIR NEW SOURCE PERMITS REGISTRATION 12244

AIR NEW SOURCE PERMITS REGISTRATION 14133

AIR NEW SOURCE PERMITS PERMIT 22039

AIR NEW SOURCE PERMITS REGISTRATION 29623

AIR NEW SOURCE PERMITS REGISTRATION 76022

AIR NEW SOURCE PERMITS AFS NUM 4820100006

AIR NEW SOURCE PERMITS REGISTRATION 29628

AIR NEW SOURCE PERMITS REGISTRATION 37366

AIR NEW SOURCE PERMITS REGISTRATION 42719

AIR NEW SOURCE PERMITS REGISTRATION 81553

AIR NEW SOURCE PERMITS REGISTRATION 82764

AIR NEW SOURCE PERMITS PERMIT 56389

AIR NEW SOURCE PERMITS REGISTRATION 89587

AIR NEW SOURCE PERMITS REGISTRATION 92237

AIR NEW SOURCE PERMITS REGISTRATION 93259

AIR NEW SOURCE PERMITS REGISTRATION 101327

AIR NEW SOURCE PERMITS REGISTRATION 112571

AIR NEW SOURCE PERMITS REGISTRATION 113020

AIR NEW SOURCE PERMITS REGISTRATION 131579

AIR NEW SOURCE PERMITS REGISTRATION 109065

IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION

(SWR) 30311

POLLUTION PREVENTION PLANNING ID NUMBER

P00159

AIR OPERATING PERMITS PERMIT 1544

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50112

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 30311

WASTEWATER EPA ID TX0004626

AIR NEW SOURCE PERMITS PERMIT 5639

AIR NEW SOURCE PERMITS PERMIT 6059

AIR NEW SOURCE PERMITS REGISTRATION 13494

AIR NEW SOURCE PERMITS PERMIT 20246

AIR NEW SOURCE PERMITS PERMIT 26891

AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0175D

AIR NEW SOURCE PERMITS PERMIT 76192

AIR NEW SOURCE PERMITS REGISTRATION 15114

AIR NEW SOURCE PERMITS REGISTRATION 37094

AIR NEW SOURCE PERMITS REGISTRATION 42375

AIR NEW SOURCE PERMITS PERMIT 80804

AIR NEW SOURCE PERMITS REGISTRATION 44511

AIR NEW SOURCE PERMITS REGISTRATION 87987

AIR NEW SOURCE PERMITS REGISTRATION 87919

AIR NEW SOURCE PERMITS REGISTRATION 84630

AIR NEW SOURCE PERMITS REGISTRATION 91511

AIR NEW SOURCE PERMITS REGISTRATION 95578

AIR NEW SOURCE PERMITS REGISTRATION 101932

AIR NEW SOURCE PERMITS REGISTRATION 124279

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX816

AIR NEW SOURCE PERMITS REGISTRATION 118791

AIR QUALITY NON PERMITTED ACCOUNT NUMBER

HG0175D

AIR EMISSIONS INVENTORY ACCOUNT NUMBER

HG0175D

Compliance History Period: September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014

Date Compliance History Report Prepared: August 20, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: August 20, 2010 to August 20, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Rajesh Acharya

Phone: (512) 239-0577

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 06/20/2011 ADMINORDER 2009-1807-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(1)
30 TAC Chapter 115, SubChapter H 115.725(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: O-01544, SC 1.A OP
Description: Failure to continuously monitor two affected pressure safety valves (PSVs) 14PSV-1321 and 14PSV-1320 that vent directly to the atmosphere.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Special Condition No. 1 PERMIT
Description: Failure to prevent unauthorized emissions. PRS failed to maintain a flame on the West Flare at all times,

VIOLATION TRACK NO. 380805 WAS COMBINED WITH 380807.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to prevent unauthorized emissions. Failure to maintain a flame on the West Flare (FLRNWEST) at all times.

violation track no. 381128 and 381131 were combined.
Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to prevent unauthorized emissions. Failure to operate the West Flare (FLRFNWEST) with a flame present at all times.

violation track no. 381128 and 381131 were combined.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to conduct an extraordinary repair attempt within 30 days or isolate a leaking valve.

This was split up into 2 violations (violations 4 and 5) in the pcw and agreed order at the recommendation of upper management.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: 82764, Condition No. (4)(B)(iii) PERMIT

Description: Failed to comply with the 0.036 pound per million British thermal units ("lb/mmBtu") nitrogen oxides ("NOx") emission limit for EPN TMPBLR001. This violation was moved over to agreed order docket no. 2009-1807-AIR-E and this

case was admin resolved.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 OP

Description: Failure to prevent unauthorized emissions. Loss of Affirmative Defense Due to Late Reporting

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THSC Chapter 382 382.085(b)

Description: Failure to submit the initial notification of a reportable emissions event in a timely manner.

2 Effective Date: 02/10/2013 ADMINORDER 2010-2073-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Special Condition 12 PERMIT

Special Condition 4 PERMIT

Special Term & Condition 17 OP

Special Term & Condition 1A OP

Description: Failure to comply with the 1 hour limit of 162 ppm H2S in fuel gas for a total of 107 hourly incidents.

(Category A.12.i.6 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 12 PERMIT

Special Term & Condition 17 OP

Special Term & Condition 1A OP

Description: Failure of the SRU Incinerator (UNIT ID SRUIN001), to comply with the SO2 250 parts per million (ppm) limit for 977 hourly incidents. (Category B18 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 5 PERMIT

Special Term & Condition 17 OP

Description: Failure to operate the SRU Incinerator (UNIT ID SRUIN001), with the required minimum temperature of 2300 degrees Fahrenheit (F). (Category B18 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 6 PERMIT

Special Term & Condition 17 OP

Description: Failure to maintain the scrubbing solution pH level in the Sorbent Regeneration System Caustic Scrubber. The pH level dipped below the required pH level of 7.5 during recirculation. (Category B18 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 6 PERMIT

Special Term & Condition 17 OP

Description: Failure to maintain CO emissions, for Unit ID BLRHT006, to the required 50 ppm limit. (Category A.12.i.6

Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 4 PERMIT
Special Term & Condition 17 OP

Description: Failure to maintain the O2 level at or above the required 3% in the SRU Incinerator stack (UNIT ID SRUIN001). (Category B18 Violation)

Violation Track No 410217 was combined with 410218

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 6E PERMIT
Special Term & Condition 1A OP

Description: Failure to limit analyzer downtime of the HRVOC analyzers monitoring the East and West Flare (Unit IDs RFNFLEAST and RFNFLWEST) to less than 5 percent. (Category B18 Violation)

Violation Track No 410226 was combined with 410227, violation track no. 410227 was deleted from the CCEDS window.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT
Special Term & Condition 17 OP

Description: Failure to comply with the VOC annual tons per year limit for five sources across the refinery. (Category A.12.i.6 Violation)

Violation Track No 410257 was combined with 410260, violation track no. 410257 was deleted from the CCEDS window.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Term & Condition 2F OP

Description: Failure to file an initial report of an emission event within 24 hours of discovering the event for EPN VTFCC001 on November 12, 2008. (Category A.12.i.8 Violation)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 14 PERMIT
Special Condition 4 PERMIT
Special Term & Condition 17 OP

Description: Failure to monitor and maintain tank loading rates for 39 tanks. (Category A.12.i.6 Violation)

3 Effective Date: 08/22/2014 ADMINORDER 2014-0763-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.121
30 TAC Chapter 122, SubChapter B 122.133(2)
30 TAC Chapter 122, SubChapter C 122.241(b)
5C THSC Chapter 382 382.054
5C THSC Chapter 382 382.085(b)

Description: Failed to submit a permit renewal application at least six months prior to the expiration of a FOP. Specifically, on May 27, 2014, the Respondent voluntarily disclosed that FOP No. O1544 expired on May 26, 2014 and the Plant continues to operate.

4 Effective Date: 05/23/2015 ADMINORDER 2014-1376-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a boiler trip and instability in the FCC Regenerator which resulted in unauthorized emissions. (Category A8c2Aii)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent solids from plugging the intake screen on the FCCU charge pump which resulted in unauthorized emissions. (Category A12i6)

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	September 13, 2010	(873878)
Item 2	October 12, 2010	(849417)
Item 3	October 14, 2010	(881479)
Item 4	November 04, 2010	(888010)
Item 5	December 06, 2010	(896212)
Item 6	February 09, 2011	(909057)
Item 7	March 14, 2011	(916321)
Item 8	March 29, 2011	(900642)
Item 9	April 06, 2011	(924762)
Item 10	May 09, 2011	(938001)
Item 11	May 23, 2011	(843681)
Item 12	June 07, 2011	(945325)
Item 13	June 24, 2011	(920562)
Item 14	July 07, 2011	(952599)
Item 15	July 18, 2011	(933365)
Item 16	August 12, 2011	(959280)
Item 17	September 06, 2011	(965313)
Item 18	October 13, 2011	(971353)
Item 19	November 10, 2011	(964269)
Item 20	November 22, 2011	(977513)
Item 21	January 05, 2012	(965182)
Item 22	January 10, 2012	(990581)
Item 23	February 07, 2012	(997942)
Item 24	May 11, 2012	(1016424)
Item 25	May 23, 2012	(1006401)
Item 26	July 09, 2012	(1031540)
Item 27	August 16, 2012	(1037916)
Item 28	September 04, 2012	(1046644)
Item 29	September 11, 2012	(1019527)
Item 30	October 01, 2012	(1024045)
Item 31	October 02, 2012	(1060794)
Item 32	November 05, 2012	(1030088)
Item 33	November 12, 2012	(1060795)
Item 34	December 07, 2012	(1060796)
Item 35	December 19, 2012	(1036091)
Item 36	January 07, 2013	(1035210)
Item 37	January 09, 2013	(1078917)
Item 38	February 06, 2013	(1078916)
Item 39	March 07, 2013	(1089282)
Item 40	April 08, 2013	(1095676)
Item 41	April 12, 2013	(1075621)
Item 42	May 07, 2013	(1106600)
Item 43	June 07, 2013	(1110277)

Item 44	July 09, 2013	(1117161)
Item 45	August 08, 2013	(1124917)
Item 46	August 13, 2013	(1100738)
Item 47	September 12, 2013	(1129517)
Item 48	October 03, 2013	(1135247)
Item 49	November 18, 2013	(1120785)
Item 50	November 22, 2013	(1140647)
Item 51	December 17, 2013	(1147104)
Item 52	January 08, 2014	(1153174)
Item 53	January 17, 2014	(1139866)
Item 54	February 05, 2014	(1160509)
Item 55	March 14, 2014	(1167154)
Item 56	April 10, 2014	(1174287)
Item 57	May 15, 2014	(1180475)
Item 58	May 30, 2014	(1159088)
Item 59	June 18, 2014	(1187373)
Item 60	July 11, 2014	(1198495)
Item 61	August 19, 2014	(1198496)
Item 62	September 04, 2014	(1171606)
Item 63	September 17, 2014	(1205778)
Item 64	October 13, 2014	(1212190)
Item 65	November 13, 2014	(1218442)
Item 66	December 08, 2014	(1224221)
Item 67	January 07, 2015	(1196025)
Item 68	January 08, 2015	(1202924)
Item 69	January 14, 2015	(1198096)
Item 70	January 30, 2015	(1216183)
Item 71	February 09, 2015	(1242258)
Item 72	March 06, 2015	(1248587)
Item 73	April 02, 2015	(1255487)
Item 74	May 15, 2015	(1262197)
Item 75	June 16, 2015	(1269366)
Item 76	July 24, 2015	(1253436)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

- | | | |
|---|---|--------------------------|
| 1 | Date: 08/26/2014 (1171598) | CN603137605 |
| | Self Report? NO | Classification: Moderate |
| | Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THSC Chapter 382 382.085(b) | |
| | Description: Failure to comply with the emissions events reporting requirements. Specifically, PRSI failed to provide the additional information requested by the TCEQ Houston Region Office regarding emissions event Incident No.: 197215 within the timeframe requested. | |
| 2 | Date: 10/28/2014 (1192149) | CN603137605 |
| | Self Report? NO | Classification: Moderate |
| | Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT | |
| | Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent the lateral distribution line for the water softener from failing which resulted in unauthorized emissions. (Category B13) | |
| | Self Report? NO | Classification: Minor |
| | Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THSC Chapter 382 382.085(b) | |
| | Description: Failure to include the total quantity of all compounds released as a result of an emissions event. (Category C3) | |
| 3 | Date: 11/19/2014 (1185212) | CN603137605 |
| | Self Report? NO | Classification: Minor |
| | Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H) | |

Description: 5C THSC Chapter 382 382.085(b)
Failure to include the total quantity of all compounds released as a result of an emissions event. (Category C3)

4

Date: 02/23/2015 (1211308) CN603137605
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 6A PERMIT
ST&C 1A and 17 OP
Description: Failure to maintain net heating value above 300 Btu/scf for facility flares.
(Category B19g(1) Violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to complete internal tank inspections in a timely manner. (Category B1
Violation)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to obtain a manual sample from Flare RFNFLEAST in a timely manner.
(Category B1 Violation)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Conditions 8 and 10 PERMIT
ST&C 17 OP
Description: Failure to maintain maximum loading rates below permitted limits. (Category
B19g1 Violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to replace carbon canisters within 24 hours after breakthrough. (Category
B19g1 Violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 20 PERMIT
ST&C 1A and 17 OP
Description: Failure to maintain NOx performance standard for stationary engine (EPN:
ENDHT002). (Category B19g1 Violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21 PERMIT
ST&C 1A and 17 OP
Description: Failure to maintain CO performance standard for stationary engine (EPN:
ENDHT001). (Category B19g1 Violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
ST&C 17 OP
Description: Failure to maintain CO concentrations below 50 ppm on Boiler No. 6. (Category
B18 Violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
ST&C 17 OP

Description: Failure to maintain NOx lb/MMBtu emissions below permitted limits from Boilers 4 and 6. (Category B18 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
ST&C 17 OP

Description: Failure to maintain CO lb/MMBtu emissions below permitted limits from Boiler 4. (Category B18 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 4 PERMIT
ST&C 17 OP

Description: Failure to maintain greater than 3 percent oxygen in SRUIN001. (Category B19(g)1 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 22 PERMIT
ST&C 1A and 17 OP

Description: Failure to maintain VOC concentrations in cooling water below permitted limits from FUCTWALK. (Category B18 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
5C THSC Chapter 382 382.085(b)
Special Condition 12 PERMIT
ST&C 17 OP

Description: Failure to limit sulfur dioxide concentrations in fuel gas below permitted limits in SRUIN001. (Category B18 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP

Description: Failure to report all deviations during the compliance period. (Category B3 Violation)

5 Date: 04/30/2015 (1239367) CN603137605

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a loss of plant air and steam header pressure which resulted in unauthorized emissions.

6 Date: 06/01/2015 (1239994) CN603137605

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(17)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.75
II-C, II-B-7, and X-A-2 PERMIT

Description: Biennial report was not prepared and submitted

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter Q 335.474
30 TAC Chapter 335, SubChapter Q 335.475
II-C PERMIT

Description: P2 summary was not submitted in time.

7 Date: 07/01/2015 (1247019) CN603137605

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a piece of piping from striking a high point bleeder valve that resulted in

Self Report? NO unauthorized emissions. (Category B13) Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
 Description: 5C THSC Chapter 382 382.085(b)
 Failure to provide additional information within the time requested. (Category C3)

8 Date: 07/13/2015 (1211300) CN603137605
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter E 115.453(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to comply with Chapter 115 Surface Coating regulations. (Category B19g1 Violation)

F. Environmental audits:

Notice of Intent Date: 07/29/2011 (944910)
 Disclosure Date: 10/24/2011
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(A)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
 40 CFR Part 60, Subpart QQQ 60.693-2(a)(2)
 Description: Failed to have gaskets on the flip top gauge hatches at the top of the guidepoles for Tanks 065, 301, 328, 342, 343, 348, 353, 400, 814, 815, 822, 825, 827, 830, and 831.
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(A)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(ii)
 Description: Failed to have gaskets for the guage float wells for Tanks 810 and 813, and the gasket on the guidepole gauge hatch on Tank 811 was no long sealing properly and needs repair. In addition, the guidepole wiper on Tank 830 was saturated with oil, probably indicating a bad gasket.
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(B)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(i)
 40 CFR Part 60, Subpart QQQ 60.693-2(a)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(f)(3)
 Description: Failed to have the vacuum breaker closed on Tanks 400, 812, 818, 822, 825, and 830 even though the tank roofs are not landed or floating off.
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(G)
 Description: Failed to equip the guidepoles with emission control devices for Tanks 810, 815, and 825.
 Notice of Intent Date: 10/17/2012 (1041087)
 No DOV Associated
 Notice of Intent Date: 03/26/2015 (1241033)
 No DOV Associated

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

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Compliance History Report

PUBLISHED Compliance History Report for CN603137605, RN100716661, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN603137605, Pasadena Refining System, Inc **Classification:** SATISFACTORY **Rating:** 20.05

Regulated Entity: RN100716661, PASADENA REFINING SYSTEM **Classification:** SATISFACTORY **Rating:** 20.05

Complexity Points: 29 **Repeat Violator:** NO

CH Group: 02 - Oil and Petroleum Refineries

Location: 111 RED BLUFF RD PASADENA, TX 77506-1530, HARRIS COUNTY

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0175D

AIR OPERATING PERMITS PERMIT 3711

INDUSTRIAL AND HAZARDOUS WASTE EPA ID
TXD008091290

WASTEWATER PERMIT WQ0000574000

AIR NEW SOURCE PERMITS PERMIT 3776

AIR NEW SOURCE PERMITS PERMIT 5953

AIR NEW SOURCE PERMITS REGISTRATION 12244

AIR NEW SOURCE PERMITS REGISTRATION 14133

AIR NEW SOURCE PERMITS PERMIT 22039

AIR NEW SOURCE PERMITS REGISTRATION 29623

AIR NEW SOURCE PERMITS REGISTRATION 76022

AIR NEW SOURCE PERMITS AFS NUM 4820100006

AIR NEW SOURCE PERMITS REGISTRATION 29628

AIR NEW SOURCE PERMITS REGISTRATION 37366

AIR NEW SOURCE PERMITS REGISTRATION 42719

AIR NEW SOURCE PERMITS REGISTRATION 81553

AIR NEW SOURCE PERMITS REGISTRATION 82764

AIR NEW SOURCE PERMITS PERMIT 56389

AIR NEW SOURCE PERMITS REGISTRATION 89587

AIR NEW SOURCE PERMITS REGISTRATION 92237

AIR NEW SOURCE PERMITS REGISTRATION 93259

AIR NEW SOURCE PERMITS REGISTRATION 101327

AIR NEW SOURCE PERMITS REGISTRATION 112571

AIR NEW SOURCE PERMITS REGISTRATION 113020

AIR NEW SOURCE PERMITS REGISTRATION 131579

AIR NEW SOURCE PERMITS REGISTRATION 109065

IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION
(SWR) 30311

POLLUTION PREVENTION PLANNING ID NUMBER
P00159

AIR OPERATING PERMITS PERMIT 1544

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50112

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
REGISTRATION # (SWR) 30311

WASTEWATER EPA ID TX0004626

AIR NEW SOURCE PERMITS PERMIT 5639

AIR NEW SOURCE PERMITS PERMIT 6059

AIR NEW SOURCE PERMITS REGISTRATION 13494

AIR NEW SOURCE PERMITS PERMIT 20246

AIR NEW SOURCE PERMITS PERMIT 26891

AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0175D

AIR NEW SOURCE PERMITS PERMIT 76192

AIR NEW SOURCE PERMITS REGISTRATION 15114

AIR NEW SOURCE PERMITS REGISTRATION 37094

AIR NEW SOURCE PERMITS REGISTRATION 42375

AIR NEW SOURCE PERMITS PERMIT 80804

AIR NEW SOURCE PERMITS REGISTRATION 44511

AIR NEW SOURCE PERMITS REGISTRATION 87987

AIR NEW SOURCE PERMITS REGISTRATION 87919

AIR NEW SOURCE PERMITS REGISTRATION 84630

AIR NEW SOURCE PERMITS REGISTRATION 91511

AIR NEW SOURCE PERMITS REGISTRATION 95578

AIR NEW SOURCE PERMITS REGISTRATION 101932

AIR NEW SOURCE PERMITS REGISTRATION 124279

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX816

AIR NEW SOURCE PERMITS REGISTRATION 118791

AIR QUALITY NON PERMITTED ACCOUNT NUMBER
HG0175D

AIR EMISSIONS INVENTORY ACCOUNT NUMBER
HG0175D

Compliance History Period: September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014

Date Compliance History Report Prepared: July 14, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 14, 2010 to July 14, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Carol McGrath

Phone: (210) 403-4063

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 06/20/2011 ADMINORDER 2009-1807-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(1)
30 TAC Chapter 115, SubChapter H 115.725(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01544, SC 1.A OP

Description: Failure to continuously monitor two affected pressure safety valves (PSVs) 14PSV-1321 and 14PSV-1320 that vent directly to the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Special Conditon No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. PRS failed to maintain a flame on the West Flare at all times,

VIOLATION TRACK NO. 380805 WAS COMBINED WITH 380807.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. Failure to maintain a flame on the West Flare (FLRNWEST) at all times.

violation track no. 381128 and 381131 were combined.

Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions. Failure to operate the West Flare (FLRFNWEST) with a flame present at all times.

violation track no. 381128 and 381131 were combined.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct an extraordinary repair attempt within 30 days or isolate a leaking valve.

This was split up into 2 violations (violations 4 and 5) in the pcw and agreed order at the recommendation of upper management.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 82764, Condition No. (4)(B)(iii) PERMIT

Description: Failed to comply with the 0.036 pound per million British thermal units ("lb/mmBtu") nitrogen oxides ("NOx") emission limit for EPN TMPBLR001. This violation was moved over to agreed order docket no. 2009-1807-AIR-E and this

case was admin resolved.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 OP

Description: Failure to prevent unauthorized emissions. Loss of Affirmative Defense Due to Late Reporting

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THSC Chapter 382 382.085(b)

Description: Failure to submit the initial notification of a reportable emissions event in a timely manner.

2

Effective Date: 02/10/2013 ADMINORDER 2010-2073-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Special Condition 12 PERMIT

Special Condition 4 PERMIT

Special Term & Condition 17 OP

Special Term & Condition 1A OP

Description: Failure to comply with the 1 hour limit of 162 ppm H2S in fuel gas for a total of 107 hourly incidents. (Category A.12.i.6 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 12 PERMIT

Special Term & Condition 17 OP

Special Term & Condition 1A OP

Description: Failure of the SRU Incinerator (UNIT ID SRUIN001), to comply with the SO2 250 parts per million (ppm) limit for 977 hourly incidents. (Category B18 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 5 PERMIT

Special Term & Condition 17 OP

Description: Failure to operate the SRU Incinerator (UNIT ID SRUIN001), with the required minimum temperature of 2300 degrees Fahrenheit (F). (Category B18 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 6 PERMIT

Special Term & Condition 17 OP

Description: Failure to maintain the scrubbing solution pH level in the Sorbent Regeneration System Caustic Scrubber. The pH level dipped below the required pH level of 7.5 during recirculation. (Category B18 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 6 PERMIT

Special Term & Condition 17 OP

Description: Failure to maintain CO emissions, for Unit ID BLRHT006, to the required 50 ppm limit. (Category A.12.i.6 Violation)

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 4 PERMIT
Special Term & Condition 17 OP

Description: Failure to maintain the O2 level at or above the required 3% in the SRU Incinerator stack (UNIT ID SRUIN001). (Category B18 Violation)

Violation Track No 410217 was combined with 410218
Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 6E PERMIT
Special Term & Condition 1A OP

Description: Failure to limit analyzer downtime of the HRVOC analyzers monitoring the East and West Flare (Unit IDs RFNFLEAST and RFNFLWEST) to less than 5 percent. (Category B18 Violation)

Violation Track No 410226 was combined with 410227, violation track no. 410227 was deleted from the CCEDS window.
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT
Special Term & Condition 17 OP

Description: Failure to comply with the VOC annual tons per year limit for five sources across the refinery. (Category A.12.i.6 Violation)

Violation Track No 410257 was combined with 410260, violation track no. 410257 was deleted from the CCEDS window.
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Term & Condition 2F OP

Description: Failure to file an initial report of an emission event within 24 hours of discovering the event for EPN VTFCC001 on November 12, 2008. (Category A.12.i.8 Violation)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 14 PERMIT
Special Condition 4 PERMIT
Special Term & Condition 17 OP

Description: Failure to monitor and maintain tank loading rates for 39 tanks. (Category A.12.i.6 Violation)

3 Effective Date: 08/22/2014 ADMINORDER 2014-0763-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.121
30 TAC Chapter 122, SubChapter B 122.133(2)
30 TAC Chapter 122, SubChapter C 122.241(b)
5C THSC Chapter 382 382.054
5C THSC Chapter 382 382.085(b)

Description: Failed to submit a permit renewal application at least six months prior to the expiration of a FOP. Specifically, on May 27, 2014, the Respondent voluntarily disclosed that FOP No. 01544 expired on May 26, 2014 and the Plant continues to operate.

4 Effective Date: 05/23/2015 ADMINORDER 2014-1376-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a boiler trip and instability in the FCC Regenerator which resulted in unauthorized emissions. (Category A8c2Aii)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent solids from plugging the intake screen on the FCCU charge pump which resulted in unauthorized emissions. (Category A12i6)

B. Criminal convictions: N/A

C. Chronic excessive emissions events: N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	July 23, 2010	(842252)
Item 2	August 02, 2010	(843914)
Item 3	August 17, 2010	(866806)
Item 4	September 13, 2010	(873878)
Item 5	October 12, 2010	(849417)
Item 6	October 14, 2010	(881479)
Item 7	November 04, 2010	(888010)
Item 8	December 06, 2010	(896212)
Item 9	February 09, 2011	(909057)
Item 10	March 14, 2011	(916321)
Item 11	March 29, 2011	(900642)
Item 12	April 06, 2011	(924762)
Item 13	May 09, 2011	(938001)
Item 14	May 23, 2011	(843681)
Item 15	June 07, 2011	(945325)
Item 16	June 24, 2011	(920562)
Item 17	July 07, 2011	(952599)
Item 18	July 18, 2011	(933365)
Item 19	August 12, 2011	(959280)
Item 20	September 06, 2011	(965313)
Item 21	October 13, 2011	(971353)
Item 22	November 10, 2011	(964269)
Item 23	November 22, 2011	(977513)
Item 24	January 05, 2012	(965182)
Item 25	January 10, 2012	(990581)
Item 26	February 07, 2012	(997942)
Item 27	May 11, 2012	(1016424)
Item 28	May 23, 2012	(1006401)
Item 29	July 09, 2012	(1031540)
Item 30	August 16, 2012	(1037916)
Item 31	September 04, 2012	(1046644)
Item 32	September 11, 2012	(1019527)
Item 33	October 01, 2012	(1024045)
Item 34	October 02, 2012	(1060794)
Item 35	November 05, 2012	(1030088)
Item 36	November 12, 2012	(1060795)
Item 37	December 07, 2012	(1060796)
Item 38	December 19, 2012	(1036091)
Item 39	January 07, 2013	(1035210)
Item 40	January 09, 2013	(1078917)
Item 41	February 06, 2013	(1078916)
Item 42	March 07, 2013	(1089282)
Item 43	April 08, 2013	(1095676)
Item 44	April 12, 2013	(1075621)
Item 45	May 07, 2013	(1106600)

Item 46	June 07, 2013	(1110277)
Item 47	July 09, 2013	(1117161)
Item 48	August 08, 2013	(1124917)
Item 49	August 13, 2013	(1100738)
Item 50	September 12, 2013	(1129517)
Item 51	October 03, 2013	(1135247)
Item 52	November 18, 2013	(1120785)
Item 53	November 22, 2013	(1140647)
Item 54	December 17, 2013	(1147104)
Item 55	January 08, 2014	(1153174)
Item 56	January 17, 2014	(1139866)
Item 57	February 05, 2014	(1160509)
Item 58	March 14, 2014	(1167154)
Item 59	April 10, 2014	(1174287)
Item 60	May 15, 2014	(1180475)
Item 61	May 30, 2014	(1159088)
Item 62	June 18, 2014	(1187373)
Item 63	July 11, 2014	(1198495)
Item 64	August 19, 2014	(1198496)
Item 65	September 04, 2014	(1171606)
Item 66	September 17, 2014	(1205778)
Item 67	October 13, 2014	(1212190)
Item 68	November 13, 2014	(1218442)
Item 69	December 08, 2014	(1224221)
Item 70	January 07, 2015	(1196025)
Item 71	January 08, 2015	(1202924)
Item 72	January 14, 2015	(1198096)
Item 73	January 30, 2015	(1216183)
Item 74	February 09, 2015	(1242258)
Item 75	March 06, 2015	(1248587)
Item 76	April 02, 2015	(1255487)
Item 77	May 15, 2015	(1262197)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

- 1 Date: 08/26/2014 (1171598) CN603137605
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
 5C THSC Chapter 382 382.085(b)
Description: Failure to comply with the emissions events reporting requirements. Specifically,
 PRSI failed to provide the additional information requested by the TCEQ Houston
 Region Office regarding emissions event Incident No.: 197215 within the
 timeframe requested.

- 2 Date: 10/28/2014 (1192149) CN603137605
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent the
 lateral distribution line for the water softener from failing which resulted in
 unauthorized emissions. (Category B13)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
 5C THSC Chapter 382 382.085(b)
Description: Failure to include the total quantity of all compounds released as a result of an
 emissions event. (Category C3)

- 3 Date: 11/19/2014 (1185212) CN603137605
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
 5C THSC Chapter 382 382.085(b)
Description: Failure to include the total quantity of all compounds released as a result of an

emissions event. (Category C3)

4

Date: 02/23/2015 (1211308) CN603137605

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 6A PERMIT
ST&C 1A and 17 OP

Description: Failure to maintain net heating value above 300 Btu/scf for facility flares.
(Category B19g(1) Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to complete internal tank inspections in a timely manner. (Category B1 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to obtain a manual sample from Flare RFNFLEAST in a timely manner.
(Category B1 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Conditions 8 and 10 PERMIT
ST&C 17 OP

Description: Failure to maintain maximum loading rates below permitted limits. (Category B19g1 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to replace carbon canisters within 24 hours after breakthrough. (Category B19g1 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 20 PERMIT
ST&C 1A and 17 OP

Description: Failure to maintain NOx performance standard for stationary engine (EPN: ENDHT002). (Category B19g1 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21 PERMIT
ST&C 1A and 17 OP

Description: Failure to maintain CO performance standard for stationary engine (EPN: ENDHT001). (Category B19g1 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
ST&C 17 OP

Description: Failure to maintain CO concentrations below 50 ppm on Boiler No. 6. (Category B18 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
ST&C 17 OP

Description: Failure to maintain NOx lb/MMBtu emissions below permitted limits from Boilers 4 and 6. (Category B18 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
ST&C 17 OP

Description: Failure to maintain CO lb/MMBtu emissions below permitted limits from Boiler 4. (Category B18 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 4 PERMIT
ST&C 17 OP

Description: Failure to maintain greater than 3 percent oxygen in SRUIN001. (Category B19(g)1 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 22 PERMIT
ST&C 1A and 17 OP

Description: Failure to maintain VOC concentrations in cooling water below permitted limits from FUCTWALK. (Category B18 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
5C THSC Chapter 382 382.085(b)
Special Condition 12 PERMIT
ST&C 17 OP

Description: Failure to limit sulfur dioxide concentrations in fuel gas below permitted limits in SRUIN001. (Category B18 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP

Description: Failure to report all deviations during the compliance period. (Category B3 Violation)

5 Date: 04/30/2015 (1239367) CN603137605

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a loss of plant air and steam header pressure which resulted in unauthorized emissions.

6 Date: 07/01/2015 (1247019) CN603137605

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a piece of piping from striking a high point bleeder valve that resulted in unauthorized emissions. (Category B13)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THSC Chapter 382 382.085(b)

Description: Failure to provide additional information within the time requested. (Category C3)

7 Date: 07/13/2015 (1211300) CN603137605

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.453(a)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to comply with Chapter 115 Surface Coating regulations. (Category B19g1
Violation)

F. Environmental audits:

Notice of Intent Date: 07/29/2011 (944910)

Disclosure Date: 10/24/2011

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(A)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
40 CFR Part 60, Subpart QQQ 60.693-2(a)(2)

Description: Failed to have gaskets on the flip top guage hatches at the top of the guidepoles for Tanks 065, 301, 328, 342, 343, 348, 353, 400, 814, 815, 822, 825, 827, 830, and 831.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(A)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(ii)

Description: Failed to have gaskets for the guage float wells for Tanks 810 and 813, and the gasket on the guidepole guage hatch on Tank 811 was no long sealing properly and needs repair. In addition, the guidepole wiper on Tank 830 was saturateed with oil, probably indicating a bad gasket.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(B)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(i)
40 CFR Part 60, Subpart QQQ 60.693-2(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(f)(3)

Description: Failed to have the vacuum breaker closed on Tanks 400, 812, 818, 822, 825, and 830 even though the tank roofs are not landed or floating off.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(G)

Description: Failed to equip the guidepoles with emission control devices for Tanks 810, 815, and 825.

Notice of Intent Date: 10/17/2012 (1041087)

No DOV Associated

Notice of Intent Date: 03/26/2015 (1241033)

No DOV Associated

G. Type of environmental management systems (EMSs): N/A

H. Voluntary on-site compliance assessment dates: N/A

I. Participation in a voluntary pollution reduction program: N/A

J. Early compliance: N/A

Sites Outside of Texas: N/A

The TCEQ is committed to accessibility.

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Compliance History Report

PUBLISHED Compliance History Report for CN603137605, RN100716661, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

Customer, Respondent, or Owner/Operator:	CN603137605, Pasadena Refining System, Inc	Classification:	SATISFACTORY	Rating:	16.47
Regulated Entity:	RN100716661, PASADENA REFINING SYSTEM	Classification:	SATISFACTORY	Rating:	16.47
Complexity Points:	33	Repeat Violator:	NO		
CH Group:	02 - Oil and Petroleum Refineries				
Location:	111 RED BLUFF RD PASADENA, TX 77506-1530, HARRIS COUNTY				
TCEQ Region:	REGION 12 - HOUSTON				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0175D

AIR OPERATING PERMITS PERMIT 3711

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXD008091290

WASTEWATER PERMIT WQ0000574000

AIR NEW SOURCE PERMITS PERMIT 3776

AIR NEW SOURCE PERMITS PERMIT 5953

AIR NEW SOURCE PERMITS REGISTRATION 12244

AIR NEW SOURCE PERMITS REGISTRATION 14133

AIR NEW SOURCE PERMITS PERMIT 22039

AIR NEW SOURCE PERMITS REGISTRATION 29623

AIR NEW SOURCE PERMITS REGISTRATION 76022

AIR NEW SOURCE PERMITS AFS NUM 4820100006

AIR NEW SOURCE PERMITS REGISTRATION 29628

AIR NEW SOURCE PERMITS REGISTRATION 37366

AIR NEW SOURCE PERMITS REGISTRATION 42719

AIR NEW SOURCE PERMITS REGISTRATION 81553

AIR NEW SOURCE PERMITS REGISTRATION 82764

AIR NEW SOURCE PERMITS PERMIT 56389

AIR NEW SOURCE PERMITS REGISTRATION 89587

AIR NEW SOURCE PERMITS REGISTRATION 92237

AIR NEW SOURCE PERMITS REGISTRATION 93259

AIR NEW SOURCE PERMITS REGISTRATION 101327

AIR NEW SOURCE PERMITS REGISTRATION 112571

AIR NEW SOURCE PERMITS REGISTRATION 113020

AIR NEW SOURCE PERMITS REGISTRATION 136490

AIR NEW SOURCE PERMITS REGISTRATION 118791

AIR QUALITY NON PERMITTED ACCOUNT NUMBER HG0175D

AIR EMISSIONS INVENTORY ACCOUNT NUMBER

HG0175D

AIR OPERATING PERMITS PERMIT 1544

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50112

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 30311

WASTEWATER EPA ID TX0004626

AIR NEW SOURCE PERMITS PERMIT 5639

AIR NEW SOURCE PERMITS PERMIT 6059

AIR NEW SOURCE PERMITS REGISTRATION 13494

AIR NEW SOURCE PERMITS PERMIT 20246

AIR NEW SOURCE PERMITS PERMIT 26891

AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0175D

AIR NEW SOURCE PERMITS PERMIT 76192

AIR NEW SOURCE PERMITS REGISTRATION 15114

AIR NEW SOURCE PERMITS REGISTRATION 37094

AIR NEW SOURCE PERMITS REGISTRATION 42375

AIR NEW SOURCE PERMITS PERMIT 80804

AIR NEW SOURCE PERMITS REGISTRATION 44511

AIR NEW SOURCE PERMITS REGISTRATION 87987

AIR NEW SOURCE PERMITS REGISTRATION 87919

AIR NEW SOURCE PERMITS REGISTRATION 84630

AIR NEW SOURCE PERMITS REGISTRATION 91511

AIR NEW SOURCE PERMITS REGISTRATION 95578

AIR NEW SOURCE PERMITS REGISTRATION 101932

AIR NEW SOURCE PERMITS REGISTRATION 124279

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX816

AIR NEW SOURCE PERMITS REGISTRATION 131579

AIR NEW SOURCE PERMITS REGISTRATION 109065

IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION

(SWR) 30311

POLLUTION PREVENTION PLANNING ID NUMBER

P00159

Compliance History Period: September 01, 2010 to August 31, 2015 **Rating Year:** 2015 **Rating Date:** 09/01/2015

Date Compliance History Report Prepared: January 27, 2016

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 27, 2011 to January 27, 2016

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Amancio R. Gutierrez

Phone: (512) 239-3921

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If YES for #2, who is the current owner/operator? N/A
- 4) If YES for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If YES, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 06/20/2011 ADMINORDER 2009-1807-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(1)
30 TAC Chapter 115, SubChapter H 115.725(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
 Rqmt Prov: O-01544, SC 1.A OP
 Description: Failure to continuously monitor two affected pressure safety valves (PSVs) 14PSV-1321 and 14PSV-1320 that vent directly to the atmosphere.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter F 101.221(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition No. 1 PERMIT
 Special Conditon No. 1 PERMIT
 Description: Failure to prevent unauthorized emissions. PRS failed to maintain a flame on the West Flare at all times, VIOLATION TRACK NO. 380805 WAS COMBINED WITH 380807.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter F 101.221(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition No. 1 PERMIT
 Description: Failure to prevent unauthorized emissions. Failure to maintain a flame on the West Flare (FLRNWEST) at all times.
 violation track no. 381128 and 381131 were combined.
 Classification: Moderate
 Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to prevent unauthorized emissions. Failure to operate the West Flare (FLRFNWEST) with a flame present at all times.
 violation track no. 381128 and 381131 were combined.
 Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to conduct an extraordinary repair attempt within 30 days or isolate a leaking valve.
 This was split up into 2 violations (violations 4 and 5) in the pcw and agreed order at the recommendation of upper management.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: 82764, Condition No. (4)(B)(iii) PERMIT
 Description: Failed to comply with the 0.036 pound per million British thermal units ("lb/mmBtu") nitrogen oxides ("NOx") emission limit for EPN TMPBLR001. This violation was moved over to agreed order docket no. 2009-1807-AIR-E and this case was admin resolved.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition No. 1 OP
 Description: Failure to prevent unauthorized emissions. Loss of Affirmative Defense Due to Late Reporting
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to submit the initial notification of a reportable emissions event in a timely manner.

2

Effective Date: 02/10/2013 ADMINORDER 2010-2073-AIR-E (Findings Order-Agreed Order Without Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition 1 PERMIT
 Special Condition 12 PERMIT
 Special Condition 4 PERMIT
 Special Term & Condition 17 OP
 Special Term & Condition 1A OP
 Description: Failure to comply with the 1 hour limit of 162 ppm H2S in fuel gas for a total of 107 hourly incidents.
 (Category A.12.i.6 Violation)
 Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition 12 PERMIT
 Special Term & Condition 17 OP
 Special Term & Condition 1A OP
 Description: Failure of the SRU Incinerator (UNIT ID SRUIN001), to comply with the SO2 250 parts per million (ppm) limit

for 977 hourly incidents. (Category B18 Violation)
Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 5 PERMIT
Special Term & Condition 17 OP
Description: Failure to operate the SRU Incinerator (UNIT ID SRUIN001), with the required minimum temperature of 2300 degrees Fahrenheit (F). (Category B18 Violation)
Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 6 PERMIT
Special Term & Condition 17 OP
Description: Failure to maintain the scrubbing solution pH level in the Sorbent Regeneration System Caustic Scrubber. The pH level dipped below the required pH level of 7.5 during recirculation. (Category B18 Violation)
Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 6 PERMIT
Special Term & Condition 17 OP
Description: Failure to maintain CO emissions, for Unit ID BLRHT006, to the required 50 ppm limit. (Category A.12.i.6 Violation)
Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 4 PERMIT
Special Term & Condition 17 OP
Description: Failure to maintain the O2 level at or above the required 3% in the SRU Incinerator stack (UNIT ID SRUIN001). (Category B18 Violation)
Violation Track No 410217 was combined with 410218
Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 6E PERMIT
Special Term & Condition 1A OP
Description: Failure to limit analyzer downtime of the HRVOC analyzers monitoring the East and West Flare (Unit IDs RFNFLEAST and RFNFLWEST) to less than 5 percent. (Category B18 Violation)
Violation Track No 410226 was combined with 410227, violation track no. 410227 was deleted from the CCEDS window.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Special Term & Condition 17 OP
Description: Failure to comply with the VOC annual tons per year limit for five sources across the refinery. (Category A.12.i.6 Violation)
Violation Track No 410257 was combined with 410260, violation track no. 410257 was deleted from the CCEDS window.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Term & Condition 2F OP
Description: Failure to file an initial report of an emission event within 24 hours of discovering the event for EPN VTFCC001 on November 12, 2008. (Category A.12.i.8 Violation)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 14 PERMIT
Special Condition 4 PERMIT
Special Term & Condition 17 OP
Description: Failure to monitor and maintain tank loading rates for 39 tanks. (Category A.12.i.6 Violation)

5C THSC Chapter 382 382.085(b)

Description: Failed to submit a permit renewal application at least six months prior to the expiration of a FOP. Specifically, on May 27, 2014, the Respondent voluntarily disclosed that FOP No. O1544 expired on May 26, 2014 and the Plant continues to operate.

- 4 Effective Date: 05/23/2015 ADMINORDER 2014-1376-AIR-E (1660 Order-Agreed Order With Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a boiler trip and instability in the FCC Regenerator which resulted in unauthorized emissions. (Category A8c2Aii)
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent solids from plugging the intake screen on the FCCU charge pump which resulted in unauthorized emissions. (Category A12i6)
- 5 Effective Date: 11/08/2015 ADMINORDER 2015-0740-AIR-E (1660 Order-Agreed Order With Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 2,050.38 pounds of particulate matter from Carbon Monoxide ("CO") Boiler, Emission Point Number ("EPN") HTBLR010, during an emissions event (Incident No. 208095) that occurred on January 5, 2015 and lasted 39 minutes. The event occurred when catalyst carried over from the Fluidized Catalytic Cracking Unit and was vented out the CO Boiler, EPN HTBLR010. Since it could not be determined that this event could not ha

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	February 09, 2011	(909057)
Item 2	March 14, 2011	(916321)
Item 3	March 29, 2011	(900642)
Item 4	April 06, 2011	(924762)
Item 5	May 09, 2011	(938001)
Item 6	May 23, 2011	(843681)
Item 7	June 07, 2011	(945325)
Item 8	June 24, 2011	(920562)
Item 9	July 07, 2011	(952599)
Item 10	July 18, 2011	(933365)
Item 11	August 12, 2011	(959280)
Item 12	September 06, 2011	(965313)
Item 13	October 13, 2011	(971353)
Item 14	November 10, 2011	(964269)
Item 15	November 22, 2011	(977513)
Item 16	January 05, 2012	(965182)
Item 17	January 10, 2012	(990581)
Item 18	February 07, 2012	(997942)
Item 19	May 11, 2012	(1016424)
Item 20	May 23, 2012	(1006401)
Item 21	July 09, 2012	(1031540)
Item 22	August 16, 2012	(1037916)
Item 23	September 04, 2012	(1046644)
Item 24	September 11, 2012	(1019527)
Item 25	October 01, 2012	(1024045)
Item 26	October 02, 2012	(1060794)
Item 27	November 05, 2012	(1030088)
Item 28	November 12, 2012	(1060795)
Item 29	December 07, 2012	(1060796)
Item 30	December 19, 2012	(1036091)
Item 31	January 07, 2013	(1035210)
Item 32	January 09, 2013	(1078917)
Item 33	February 06, 2013	(1078916)
Item 34	March 07, 2013	(1089282)
Item 35	April 08, 2013	(1095676)

Item 36	April 12, 2013	(1075621)
Item 37	May 07, 2013	(1106600)
Item 38	June 07, 2013	(1110277)
Item 39	July 09, 2013	(1117161)
Item 40	August 08, 2013	(1124917)
Item 41	August 13, 2013	(1100738)
Item 42	September 12, 2013	(1129517)
Item 43	October 03, 2013	(1135247)
Item 44	November 18, 2013	(1120785)
Item 45	November 22, 2013	(1140647)
Item 46	December 17, 2013	(1147104)
Item 47	January 08, 2014	(1153174)
Item 48	January 17, 2014	(1139866)
Item 49	February 05, 2014	(1160509)
Item 50	March 14, 2014	(1167154)
Item 51	April 10, 2014	(1174287)
Item 52	May 15, 2014	(1180475)
Item 53	May 30, 2014	(1159088)
Item 54	June 18, 2014	(1187373)
Item 55	July 11, 2014	(1198495)
Item 56	August 19, 2014	(1198496)
Item 57	September 04, 2014	(1171606)
Item 58	September 17, 2014	(1205778)
Item 59	October 13, 2014	(1212190)
Item 60	November 13, 2014	(1218442)
Item 61	December 08, 2014	(1224221)
Item 62	January 07, 2015	(1196025)
Item 63	January 08, 2015	(1202924)
Item 64	January 14, 2015	(1198096)
Item 65	January 30, 2015	(1216183)
Item 66	February 09, 2015	(1242258)
Item 67	March 06, 2015	(1248587)
Item 68	April 02, 2015	(1255487)
Item 69	May 15, 2015	(1262197)
Item 70	June 16, 2015	(1269366)
Item 71	July 08, 2015	(1276912)
Item 72	July 24, 2015	(1253436)
Item 73	August 10, 2015	(1283089)
Item 74	September 16, 2015	(1290229)
Item 75	October 14, 2015	(1296432)
Item 76	November 12, 2015	(1301885)
Item 77	December 08, 2015	(1287355)
Item 78	December 17, 2015	(1294207)
Item 79	January 05, 2016	(1221809)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	02/23/2015 (1211308)	CN603137605
	Self Report?	NO	Classification: Minor
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 5C THSC Chapter 382 382.085(b) Special Condition 6A PERMIT ST&C 1A and 17 OP	
	Description:	Failure to maintain net heating value above 300 Btu/scf for facility flares. (Category B19g(1) Violation)	
	Self Report?	NO	Classification: Moderate
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i) 5C THSC Chapter 382 382.085(b) ST&C 1A OP	
	Description:	Failure to complete internal tank inspections in a timely manner. (Category B1 Violation)	
	Self Report?	NO	Classification: Minor
	Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) ST&C 1A OP	
	Description:	Failure to obtain a manual sample from Flare RFNFLEAST in a timely manner. (Category B1 Violation)	
	Self Report?	NO	Classification: Minor
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)	

5C THSC Chapter 382 382.085(b)
 Special Conditions 8 and 10 PERMIT
 ST&C 17 OP
 Description: Failure to maintain maximum loading rates below permitted limits. (Category B19g1 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to replace carbon canisters within 24 hours after breakthrough. (Category B19g1 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 20 PERMIT
 ST&C 1A and 17 OP
 Description: Failure to maintain NOx performance standard for stationary engine (EPN: ENDHT002). (Category B19g1 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 21 PERMIT
 ST&C 1A and 17 OP
 Description: Failure to maintain CO performance standard for stationary engine (EPN: ENDHT001). (Category B19g1 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 6 PERMIT
 ST&C 17 OP
 Description: Failure to maintain CO concentrations below 50 ppm on Boiler No. 6. (Category B18 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 6 PERMIT
 ST&C 17 OP
 Description: Failure to maintain NOx lb/MMBtu emissions below permitted limits from Boilers 4 and 6. (Category B18 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 6 PERMIT
 ST&C 17 OP
 Description: Failure to maintain CO lb/MMBtu emissions below permitted limits from Boiler 4. (Category B18 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 4 PERMIT
 ST&C 17 OP
 Description: Failure to maintain greater than 3 percent oxygen in SRUIN001. (Category B19(g)1 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 22 PERMIT
 ST&C 1A and 17 OP
 Description: Failure to maintain VOC concentrations in cooling water below permitted limits from FUCTWALK. (Category B18 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
 5C THSC Chapter 382 382.085(b)
 Special Condition 12 PERMIT
 ST&C 17 OP

Description: Failure to limit sulfur dioxide concentrations in fuel gas below permitted limits in SRUIN001. (Category B18 Violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP
Description: Failure to report all deviations during the compliance period. (Category B3 Violation)

2 Date: 04/30/2015 (1239367) CN603137605
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a loss of plant air and steam header pressure which resulted in unauthorized emissions.

3 Date: 06/01/2015 (1239994) CN603137605
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(17)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.75
II-C, II-B-7, and X-A-2 PERMIT
Description: Biennial report was not prepared and submitted
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter Q 335.474
30 TAC Chapter 335, SubChapter Q 335.475
II-C PERMIT
Description: P2 summary was not submitted in time.

4 Date: 07/01/2015 (1247019) CN603137605
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a piece of piping from striking a high point bleeder valve that resulted in unauthorized emissions. (Category B13)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THSC Chapter 382 382.085(b)
Description: Failure to provide additional information within the time requested. (Category C3)

5 Date: 07/13/2015 (1211300) CN603137605
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.453(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to comply with Chapter 115 Surface Coating regulations. (Category B19g1 Violation)

6 Date: 09/25/2015 (1265936) CN603137605
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)
5C THSC Chapter 382 382.085(b)
Description: Failure to submit the Final Report for a reportable shutdown activity within two weeks following the end of the activity.

7 Date: 10/05/2015 (1265883) CN603137605
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent the landing of the internal floating roof in Tank 353 which resulted in unauthorized emissions.

8 Date: 10/27/2015 (1273085) CN603137605
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)

MAERT PERMIT
Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a leak from a drain line in the Reformer 3 Unit which resulted in unauthorized emissions.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
5C THSC Chapter 382 382.085(b)
Description: Failure to submit the Initial Notification within 24 hours of discovery.

F. Environmental audits:

Notice of Intent Date: 07/29/2011 (944910)

Disclosure Date: 10/24/2011

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(A)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
40 CFR Part 60, Subpart QQQ 60.693-2(a)(2)

Description: Failed to have gaskets on the flip top guage hatches at the top of the guidepoles for Tanks 065, 301, 328, 342, 343, 348, 353, 400, 814, 815, 822, 825, 827, 830, and 831.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(A)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(ii)

Description: Failed to have gaskets for the guage float wells for Tanks 810 and 813, and the gasket on the guidepole guage hatch on Tank 811 was no long sealing properly and needs repair. In addition, the guidepole wiper on Tank 830 was saturated with oil, probably indicating a bad gasket.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(B)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(i)
40 CFR Part 60, Subpart QQQ 60.693-2(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(f)(3)

Description: Failed to have the vacuum breaker closed on Tanks 400, 812, 818, 822, 825, and 830 even though the tank roofs are not landed or floating off.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(G)

Description: Failed to equip the guidepoles with emission control devices for Tanks 810, 815, and 825.

Notice of Intent Date: 10/17/2012 (1041087)

No DOV Associated

Notice of Intent Date: 03/26/2015 (1241033)

No DOV Associated

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

All NOV's Issued During Component Period 7/14/2010 and 7/14/2015

Page 10

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 4 PERMIT
Special Term & Condition 17 OP

Description: Failure to maintain the recirculation rate of 1064 gallons per minute (gpm) for the Sorbent Regeneration System Caustic Scrubber. (Category C4 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
Special Term & Condition 17 OP

Description: Failure to comply, for Unit ID BLRHT006, the firing rate limit of 0.01 lb/MMBtu NOx limit on 62 different occasions. The limit was exceeded for 798 hours by an average of 0.144 lbs/MMBtu. (Category B18 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 16F PERMIT
Special Term & Condition 17 OP

Description: Failure to provide the required 30 day notification, prior to performing a RATA, for Boiler 6 and 10. (Category C3 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter H 115.766(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to collect HRVOC cooling tower samples within 24 hours of the time of an analyzer malfunction, for Unit IDs FUCTWALK and FUCTWCPX, during weekend hours. (Category C1 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to collect an HRVOC grab sample from the West Flare (Unit ID RFNFWEST) within 10 hours of analyzer failure on September 18, 2009. (Category C1 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter C 115.216(4)(A)(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to retain registry information or legal owner or operator records for marine barges loaded or unloaded for Unit ID DOKLO001. (Category B3 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter C 115.216(4)(A)(iii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to retain required records related to the unloading of materials from marine barges for Unit ID DOKLO001. (Category B3 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter C 115.216(4)(B)

30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP
 Special Term & Condition 5D OP
 Description: Failure to retain the required Marine Vessel Vapor Tightness Test documentation or alternative test method documentation for Unit ID DOKLO001. (Category B3 Violation)
 Classification: Minor
 Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter C 115.216(3)(A)(iii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP
 Special Term & Condition 5B OP
 Description: Failure to retain the required leak testing records for Tank Truck tanks for Unit ID C3UL TRRLOLPG. (Category B3 Violation)
 Classification: Moderate
 Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Condition 6A PERMIT
 Special Term & Condition 17 OP
 Special Term & Condition 1A OP
 Description: Failure to operate the East flare and West Flare (Unit IDs RFNFLEAST and RFNFLWEST) with net heating values meeting or exceeding 300 MMBTU/scf. (Category B18 Violation)
 Classification: Minor
 Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 28 PERMIT
 Special Term & Condition 16 OP
 Description: Failure of two engines, Units IDs ENDHT001 and ENDHT002, to pass the required fourth quarter 2009 compliance tests to demonstrate compliance with the applicable NOX and CO limits for stationary engines. (Category B18 Violation)
 Classification: Moderate
 Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 18B PERMIT
 Special Term & Condition 16 OP
 Description: Failure to record max loading rates for Dock (UNIT ID LODOK001). (Category B3 Violation)
 Classification: Minor
 Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THSC Chapter 382 382.085(b)
 Special Condition 6B PERMIT
 Special Term & Condition 17 OP
 Special Term & Condition 1A OP
 Description: Failure to operate the East and West flares (Unit IDs RFNFLEAST and RFNFLWEST) with no pilot light outages. (Category C4 Violation)
 Classification: Minor
 Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 31B PERMIT
 Special Term & Condition 16 OP
 Description: Failure to perform the first quarter 2009 cylinder gas audit for the CEMS of two

heaters (UNIT ID HTCRU001 and HTCRU002). (Category C1 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.47b(e)(4)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 8B PERMIT
Special Term & Condition 16 OP
Special Term & Condition 1A OP

Description: Failure to perform the first quarter 2009 cylinder gas audit for the BLRHT006 CEMS. (Category C1 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 10 PERMIT
Special Term & Condition 16 OP

Description: Failure to operate a flow meter for the caustic circulation line of the Alky 2 Cooling Tower (UNIT ID FUCTWALK). (Category B1 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
Special Condition 12I PERMIT
Special Condition 7H PERMIT
Special Term & Condition 17 OP
Special Term & Condition 1A OP

Description: Failure to repair 17 leaking connectors within 15 calendar days. (Category B18 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)

5C THSC Chapter 382 382.085(b)
Special Condition 7H PERMIT
Special Term & Condition 17 OP
Special Term & Condition 1A OP

Description: Failure to repair 23 valves within 15 calendar days. (Category B18 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
Special Condition 7H PERMIT
Special Term & Condition 17 OP
Special Term & Condition 1A OP

Description: Failure to repair 8 pumps within 15 calendar days. (Category B18 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to repair six connectors and two valves in HRVOC service within 7 calendar days. (Category C4 Violation) Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to repair four leaking components that had been placed on delay of repair. (Category B18 Violation) Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
Special Condition 15E PERMIT
Special Condition 6E PERMIT
Special Condition 7E PERMIT
Special Term & Condition 17 OP
Special Term & Condition 1A OP

Description: Failure to maintain 101 open-ended lines with a cap, plug, or other closure device. (Category C10 Violation) Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter H 115.783(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to employ a flow indicator or bypass securing device on the Crude Vacuum Tower vent (UNIT ID TVFUG-ALL). (Category C4 Violation) Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 13B through 13E PERMIT
Special Term & Condition 16 OP

Description: Failure to maintain records when a leak was detected by the H2S ambient monitors on the SRU process unit (UNIT ID SRUFU001). (Category B18 Violation) Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 106, SubChapter T 106.452(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 17 OP

Description: Failure to perform enclosed abrasive blasting using the proper fabric filtration controls. (Category C4 Violation) Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 115, SubChapter B 115.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to perform the secondary seal inspection of Tank 202. (Category B1 Violation) Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter H 115.786(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to submit the semi-annual HRVOC Delay of Repair (DOR) report.

(Category B3 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 101, SubChapter A 101.10
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 2E OP

Description: Failure to properly report emissions in an EI for EE/SMSS for calendar year 2008, specifically for EPN VTFCC001. (Category C9 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(c)(6)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to obtain the signature of an authorized official for leaking pumps placed on delay of repair for Tag Nos. 308191. (Category B3 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Condition 7 PERMIT
Special Term & Condition 17 OP

Description: Failure to maintain records of monthly AVO inspections of the FCCU closed vent system downstream from the F-D-285 to the CO Boiler. (Category B3 Violation)

4 Date: 12/31/2010 (902283) CN603137605

Classification: Moderate

Self Report? YES

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

5 Date: 11/30/2011 (984279) CN603137605

Classification: Moderate

Self Report? YES

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

6 Date: 12/16/2011 (968337) CN603137605

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
STC16 OP

Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event.

7 Date: 12/21/2011 (965148) CN603137605

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. PRSI failed to maintain sufficient pressure at the suction of Pump CP6B, which resulted in cavitation, excess vibration, and pump bearing failure.

8 Date: 02/29/2012 (1003466) CN603137605

Classification: Moderate

Self Report? YES

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

9 Date: 03/31/2012 (1010029) CN603137605

Classification: Moderate

Self Report? YES

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

10 Date: 05/31/2012 (970580) CN603137605

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6E PA
Special Term & Condition 17 OP

Description: Failure to seal eight open ended lines with a cap, plug, or blind flange, or second valve. (Category C10)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 6A PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to operate the East and West Flares (EPNs: FLRFNEAST and FLRFNWEST) with the minimum required net heating value of 300 MMBtu/scf. (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 18 PA
Special Condition 21 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to limit the amount of hydrogen sulfide (H2S) in fuel gas streams to no more than 162 parts per million by volume (ppmv) in a 3-hour average basis to Coker Heater No. 1, Coker Heater No. 2, Crude Tower Heater, Heater H-3701, Diesel Hydrotreater Charge Heater No. 1, Diesel Hydrotreater Charge Stripper Heater No. 2, Alky Heater No. 1, Alky Heater No. 2, Boiler No. 4, Boiler No. 6, Atmospheric and Vacuum Tower Heaters. (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(e)(4)(i)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to limit the amount of sulfur dioxide (SO2) in the fuel gas stream to no more than 250 parts per million by volume (ppmv) in a 12-hour average basis in the Tail Gas Incinerator (EPN: INSRU001). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 20 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the one-hour average emission rate of nitrogen oxides (NOx) below the limit of 0.06 lb/MMBtu for the Atmospheric Tower Heater and Vacuum

Tower Heater (EPN: HTCRU001-S), Diesel Hydrotreater Charge Heater No.1 (EPN: HTREF001) and Diesel Hydrotreater Stripper Heater No. 2 (EPN: HTREF002).
(Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the one-hour average emission rate of nitrogen oxides (NOx) below the limit of 0.01 lb/MMBtu for Boiler No. 6 (EPN: HTBLR006). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Special Condition 6 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the Sorbent Regeneration System Caustic Scrubber liquid flow circulation at 1064 gallons per minute (gpm). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to maintain the opacity limit below 30% for the CO Boiler (EPN: HTBLR010). (Category C4)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to perform the required daily flare observations of the East Flare (EPN: RFNFLEAST) and West Flare (EPN: RFNFLWEST). (Category C3)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to obtain an HRVOC grab sample from the East Flare (EPN: RFNFLEAST) and West Flare (EPN: RFNFLWEST) within 10 hours of the on-line analyzer failure. (Category B1)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the sulfur dioxide (SO2) emissions limit below 8 pounds per hour (lb/hr) for Boiler No. 4 (EPN: HTBLR004). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the carbon monoxide (CO) and nitrogen oxides (NOx) emissions below the authorized pounds per hour (lb/hr) limits for Boiler No. 6 (EPN: HTBLR006). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the sulfur dioxide (SO₂) emissions below the authorized pounds per hour (lb/hr) limit for the Alky Heater No. 1 (EPN: HTALK001). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the sulfur dioxide (SO₂), volatile organic compounds (VOC), particulate matter (PM) emissions below the authorized pounds per hour (lb/hr) limits for the Alky Heater No. 2 (EPN: HTALK002). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the sulfur dioxide (SO₂), volatile organic compounds (VOC) and particulate matter (PM) emissions below the authorized pounds per hour (lb/hr) limits for the Coker Heater No. 1 (EPN: HTCKR001). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the nitrogen oxides (NO_x) emissions below the authorized pounds per hour (lb/hr) limit for the Diesel Hydrotreater Charge Heater No. 1 (EPN: HTREF001). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the nitrogen oxides (NO_x) and sulfur dioxide (SO₂) emissions below the authorized pounds per hour (lb/hr) limits for the Diesel Hydrotreater Stripper Heater No. 2 (EPN: HTREF002). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Permit 5953, MAERT PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the sulfur dioxide (SO₂) emissions below the authorized pounds per hour (lb/hr) limit for the Reformer No. 3 Combined Heaters (EPN: HTREF2631). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA

Description: Special Terms & Condition 1A & 17 OP
 Failure to maintain the sulfur dioxide (SO₂), nitrogen oxides (NO_x) and particulate matter (PM) emissions below the authorized pounds per hour (lb/hr) limits for the Heater H-3701 (EPN: HTLSG001). (Category B18)
 Classification: Moderate

Self Report? NO
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP

Description: Failure to collect Highly-Reactive Volatile Organic Compounds (HRVOC) samples from the Alky Cooling Tower (EPN: FUCTWALK) during analyzer downtime exceeding 24 hours. (Category B1)
 Classification: Moderate

Self Report? NO
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP

Description: Failure to maintain the 24-hour average emission rate of ammonia (NH₃) below the limit of 10 ppm for Boiler No. 6 (EPN: HTBLR006). (Category B18)
 Classification: Moderate

Self Report? NO
 Citation: 30 TAC Chapter 115, SubChapter H 115.729(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP

Description: Failure to test and monitor Boiler No. 4 (EPN: HTBLR004) within 60 days after operation in highly-reactive volatile organic compound (HRVOC) service. (Category B1)
 Classification: Moderate

Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PA
 Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain annual emission limits of volatile organic compounds (VOC) below 2.10 tons per year (tpy) for Tank 331 (EPN: TKTKF 331), 1.95 tons per year (tpy) for Tank 830 (EPN: TKTKF830), and 1.97 tons per year (tpy) for Tank 831 (EPN: TKTKF831) in a 12-month rolling period. (Category B18)
 Classification: Moderate

Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 20 PA
 Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the nitrogen oxides (NO_x) limit for the DHT Compressor Engine B (EPN: ENDHT002) below 5 g/hp-hr. (Category B18)
 Classification: Moderate

Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 21 PA
 Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the carbon monoxide (CO) limit for the DHT Compressor Engine A (EPN: ENDHT001) below 1.5 g/hp-hr. (Category B18)
 Classification: Minor

Self Report? NO
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THSC Chapter 382 382.085(b)

Special Condition 6C PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to prevent visible emissions from the West Flare (EPN: FLRFNWEST) on June 11, 2011; June 29, 2011; and September 30, 2011. (Category B18)
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to operate the Alky Heater No.1, Alky Heater No.2, Coker Heater No. 1, Coker Heater No.2, Atmospheric and Vacuum Tower Heaters, Crude Tower Heater, FCC Charge Heater, Diesel Hydrotreater Charge Heater No.1, Heater H-3701, Reformer No. 3 Combined Heaters and CO Boiler within fuel gas flow rate limits. (Category B18)
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(a)(2)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to maintain the daily average liquid-to-gas ratio above 30.3 barrels per day (bpd) per kilo standard cubic feet per day (ksafd) for the Catalytic Reformer 3 Scrubber (EPN: TVREF3PROC). (Category B18)

11 Date: 05/31/2012 (1024144) CN603137605
Classification: Moderate

Self Report? YES

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

12 Date: 09/07/2012 (1023530) CN603137605
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT

Description: Failure to prevent the release of unauthorized emissions.
Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THSC Chapter 382 382.085(b)

Description: Failure to adhere to Emission Event reporting requirements.

13 Date: 09/20/2012 (1031004) CN603137605
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1 A OP

Description: Exceeded ammonia limit on Boiler 6. Cat B13

14 Date: 04/01/2013 (1043142) CN603137605
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to obtain an HRVOC grab sample from the East Flare (EPN: RFNFLEAST) and West Flare (EPN: RFNFLWEST) within 10 hours of the on-line analyzer failure. (Category B1)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the sulfur dioxide (SO₂) emissions limit below 8 pounds per hour (lb/hr) for Boiler No. 4 (EPN: HTBLR004). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Permit 5953, MAERT PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain the sulfur dioxide (SO₂) emissions below the authorized pounds per hour (lb/hr) limit for the Reformer No. 3 Combined Heaters (EPN: HTREF2631). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Terms & Condition 1A & 17 OP

Description: Failure to maintain the sulfur dioxide (SO₂), nitrogen oxides (NO_x) and particulate matter (PM) emissions below the authorized pounds per hour (lb/hr) limits for the Heater H-3701 (EPN: HTLSG001). (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to collect Highly-Reactive Volatile Organic Compounds (HRVOC) samples from the Alky Cooling Tower (EPN: FUCTWALK) during analyzer downtime exceeding 24 hours. (Category B1)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Terms & Conditions 1A & 17 OP

Description: Failure to maintain annual emission limits of volatile organic compounds (VOC) below 2.10 tons per year (tpy) for Tank 331 (EPN: TKTKF 331), 1.95 tons per year (tpy) for Tank 830 (EPN: TKTKF830), and 1.97 tons per year (tpy) for Tank 831 (EPN: TKTKF831) in a 12-month rolling period. (Category B18)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(a)(2)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to maintain the daily average liquid-to-gas ratio above 30.3 barrels per day (bpd) per kilo standard cubic feet per day (kscfd) for the Catalytic Reformer 3 Scrubber (EPN: TVREF3PROC). (Category B18)

15*

Date: 09/03/2013 (1050356)

CN603137605

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 4 PA

Description: Special Terms and Conditions 1A and 17 OP
Failure to limit the hydrogen sulfide (H₂S) concentration in fuel gas to no more than 10 grains per 100 dry standard cubic feet for Unit ID HTREF201. (Category B18)
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 20 PA
Special Terms and Conditions 17 OP

Description: Failure to maintain the one-hour average emission rate of nitrogen oxides (NO_x) below the limit of 0.06 lb/MMBtu for the EPN: HTCRU001-S. (Category B 18)
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A and 3A OP

Description: Failure to maintain the opacity below 30% for the CO Boiler (EPN: HTBLR010). (Category B 18)
Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP

Description: Failure to perform the required daily flare observations of the East Flare (EPN: RFNFLEAST) and West Flare (EPN: RFNFLWEST). (Category C3)
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 28 PA
Special Terms and Conditions 17 OP

Description: Failure to conduct quarterly emissions tests for EPN ENDHT002. (Category B1)
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(a)(2)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP

Description: Failure to maintain the daily average liquid-to-gas ratio above 30.3 barrels per day (bpd) per kilo standard cubic feet per day (ksafd) for the Catalytic Reformer 3 Scrubber (EPN: TVREF3PROC). (Category B 18)
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 2 PA
Special Terms and Conditions 17 OP

Description: Failure to limit number of seal pot cold start up hours to 38 per 12-month rolling period. (Category B.19.g.1)
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
Special Condition 14E PA
Special Condition 15 E PA

Special Condition 6 E PA
 Special Condition 6E PA
 Special Condition 7 E PA
 Special Terms and Conditions 1A and 17 OP
 Description: Failure to seal 66 open ended lines with a cap, plug, or blind flange, or second valve. (Category C 10)
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PA
 Special Terms and Conditions 17 OP
 Description: Failure to maintain the carbon monoxide (CO) emissions below the authorized pounds per hour (lb/hr) limit for the Diesel Hydrotreater Charge Heater No. 1 (EPN: HTREF001). (Category B 18)
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PA
 Special Terms and Conditions 17 OP
 Description: Failure to maintain the volatile organic compounds (VOC) emissions below the authorized pounds per hour (lb/hr) limits for the Alky Cooling Tower (EPN: FUCTWALK). (Category B 18)
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PA
 Special Terms and Conditions 17 OP
 Description: Failure to maintain the volatile organic compounds (VOC) emissions below the authorized pounds per hour (lb/hr) limits for the Complex Cooling Tower (EPN: FUCTWCPIX). (Category B 18)
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PA
 Special Terms and Conditions 17 OP
 Description: Failure to maintain the nitrogen oxide (NOX) and sulfur dioxide (SO2) emissions below the authorized pounds per hour (lb/hr) limits for EPN: HTLSG001. (Category B 18)
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions 17 OP
 Description: Failure to maintain emissions of SO2 below 17.84 pounds per hour (lbs/hr); VOC below 1.5 lbs./hr; and PM below 7.40 lbs/hr for EPN HTREF2631. (Category B 18)
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 6 PA
 Special Terms and Conditions 1A and 17 OP
 Description: Failure to prevent visible emissions for flare EPN: RFNFWEST (Category B18).
 Classification: Moderate
 Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 5 PA
 Special Terms and Conditions 17 OP
 Description: Failure to maintain the sulfur recovery unit (SRU) thermal reactor flame temperature above 2300 degrees F (Unit ID SRUIN001). (Category B 18)
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 7 PA
 Special Terms and Conditions 17 OP
 Description: Failure to maintain the pH of the caustic scrubber VTLSG001 at or above 7.5. (Category B 18)
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 4 PA
 Special Terms and Conditions 17 OP
 Description: Failure to maintain the temperature of the Sulfur Recovery Unit (SRU) tail gas incinerator EPN: SRUIN001 over 1250 degrees F. (Category B 18)
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 21 PA
 Special Terms and Conditions 17 OP
 Description: Failure to maintain heater EPN HTRU001 Carbon Monoxide (CO) emissions below 100 ppmv. (Category B 18)
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(a)(2)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions 1A OP
 Description: Failure to maintain the pH of the Reformer 3 Scrubber TVREF3PROC at or above 8.4. (Category B 18)
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PA
 Special Terms and Conditions 17 OP
 Description: Failure to maintain NOX, CO, SO2 and PM emissions below lb/hr permit limits for HTBLR010 (Category B 18)
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PA
 Special Terms and Conditions 17 OP
 Description: Failure to maintain annual emission limits of volatile organic compounds (VOC) below 2.10 tons per year (tpy) for Tank 331 (EPN: TKTKF 331), 1.95 tpy for Tank 8.31 (EPN: TKTKF831) in a 12-month rolling period. (Category B18)

16* Date: 11/15/2013 (1116489) CN603137605
 Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)

Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. PRSI failed to provide sufficient information regarding the emissions event to demonstrate compliance.

17* Date: 12/09/2013 (1121654) CN603137605
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. PRSI failed to prevent unauthorized emissions associated with an avoidable shutdown of the FCCU.

18* Date: 12/20/2013 (1123827) CN603137605
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent emissions from Tank 301 during a transfer to the tank. (Category B13)

19* Date: 02/24/2014 (1145848) CN603137605
Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 29E PERMIT
ST&C 17 OP

Description: Failure to submit HRVOC stack test report for EPN HTCRU004 within 60 days after completion of testing. Category C3

20* Date: 02/24/2014 (1117011) CN603137605
Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special condition 17E OP
ST & C 17 OP

Description: Failure to submit stack test reports 30 days after conducting the initial compliance tests. C-3

21* Date: 04/25/2014 (1152850) CN603137605
Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to properly re-set the sour water gas to flare valve which resulted in unauthorized emisisions.
(Category B13)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
5C THSC Chapter 382 382.085(b)

Description: Failure to submit a Final Record for a reportable emissions event when one was required. (Category B3)

22* Date: 04/25/2014 (1120568) CN603137605
Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A)

- | | | | | | | |
|-----|--------------|--|-----------|-------------|-----------------|----------|
| 23* | Date: | 04/25/2014 | (1152227) | CN603137605 | Classification: | Moderate |
| | Self Report? | NO | | | | |
| | Citation: | 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT | | | | |
| | Description: | Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a leak from an exchanger in the LPG Unit which resulted in | | | | |
| 24* | Date: | 08/26/2014 | (1171598) | CN603137605 | Classification: | Moderate |
| | Self Report? | NO | | | | |
| | Citation: | 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THSC Chapter 382 382.085(b) | | | | |
| | Description: | Failure to comply with the emissions events reporting requirements. Specifically, PRSI failed to provide the additional information requested by the TCEQ Houston Region Office regarding emissions event Incident No.: 197215 within the timeframe requested. | | | | |
| 25 | Date: | 10/28/2014 | (1192149) | CN603137605 | Classification: | Moderate |
| | Self Report? | NO | | | | |
| | Citation: | 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT | | | | |
| | Description: | Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent the lateral distribution line for the water softener from failing which resulted in unauthorized emissions. (Category B13) | | | | |
| | | | | | Classification: | Minor |
| | Self Report? | NO | | | | |
| | Citation: | 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THSC Chapter 382 382.085(b) | | | | |
| | Description: | Failure to include the total quantity of all compounds released as a result of an emissions event. (Category C3) | | | | |
| 26 | Date: | 11/19/2014 | (1185212) | CN603137605 | Classification: | Minor |
| | Self Report? | NO | | | | |
| | Citation: | 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THSC Chapter 382 382.085(b) | | | | |
| | Description: | Failure to include the total quantity of all compounds released as a result of an emissions event. (Category C3) | | | | |
| 27 | Date: | 02/23/2015 | (1211308) | CN603137605 | Classification: | Minor |
| | Self Report? | NO | | | | |
| | Citation: | 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 6A PERMIT
ST&C 1A and 17 OP | | | | |
| | Description: | Failure to maintain net heating value above 300 Btu/scf for facility flares. (Category B19g(1) Violation) | | | | |
| | | | | | Classification: | Moderate |
| | Self Report? | NO | | | | |
| | Citation: | 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP | | | | |
| | Description: | Failure to complete internal tank inspections in a timely manner. (Category B1 | | | | |

Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to obtain a manual sample from Flare RFNFLEAST in a timely manner.
(Category B1 Violation)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Conditions 8 and 10 PERMIT
ST&C 17 OP

Description: Failure to maintain maximum loading rates below permitted limits. (Category B19g1 Violation)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to replace carbon canisters within 24 hours after breakthrough. (Category B19g1 Violation)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 20 PERMIT
ST&C 1A and 17 OP

Description: Failure to maintain NOx performance standard for stationary engine (EPN: ENDHT002). (Category B19g1 Violation)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21 PERMIT
ST&C 1A and 17 OP

Description: Failure to maintain CO performance standard for stationary engine (EPN: ENDHT001). (Category B19g1 Violation)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
ST&C 17 OP

Description: Failure to maintain CO concentrations below 50 ppm on Boiler No. 6. (Category B18 Violation)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
ST&C 17 OP

Description: Failure to maintain NOx lb/MMBtu emissions below permitted limits from Boilers 4 and 6. (Category B18 Violation)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
ST&C 17 OP
Description: Failure to maintain CO lb/MMBtu emissions below permitted limits from Boiler 4.
(Category B18 Violation)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 4 PERMIT
ST&C 17 OP

Description: Failure to maintain greater than 3 percent oxygen in SRUIN001. (Category B19(g)1 Violation)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 22 PERMIT
ST&C 1A and 17 OP

Description: Failure to maintain VOC concentrations in cooling water below permitted limits from FUCTWALK. (Category B18 Violation)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
5C THSC Chapter 382 382.085(b)
Special Condition 12 PERMIT
ST&C 17 OP

Description: Failure to limit sulfur dioxide concentrations in fuel gas below permitted limits in SRUIN001. (Category B18 Violation)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP

Description: Failure to report all deviations during the compliance period. (Category B3 Violation)

28 Date: 04/30/2015 (1239367) CN603137605

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a loss of plant air and steam header pressure which resulted in unauthorized emissions.

29 Date: 07/01/2015 (1247019) CN603137605

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, PRSI failed to prevent a piece of piping from striking a high point bleeder valve that resulted in unauthorized emissions. (Category B13)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)

Description: 5C THSC Chapter 382 382.085(b)
Failure to provide additional information within the time requested. (Category C3)

30 Date: 07/13/2015 (1211300) CN603137605
Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 115, SubChapter E 115.453(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to comply with Chapter 115 Surface Coating regulations. (Category B19g1 Violation)

* NOVs applicable for the Compliance History rating period 9/1/2009 to 8/31/2014

Appendix B

All Investigations Conducted During Component Period July 14, 2010 and July 14, 2015

Item	Date	Investigation Number
Item 1	July 23, 2010**	(790010)
Item 2*	August 02, 2010**	(843914)
Item 3	August 10, 2010**	(843536)
Item 4*	August 17, 2010**	(866806)
Item 5	August 23, 2010**	(842038)
Item 6*	September 13, 2010**	(873878)
Item 7	October 06, 2010**	(858344)
Item 8*	October 12, 2010**	(849417)
Item 9*	October 14, 2010**	(881479)
Item 10*	November 04, 2010**	(888010)
Item 11	November 10, 2010**	(872819)
Item 12*	December 06, 2010**	(896212)
Item 13	December 09, 2010**	(790228)
Item 14	January 12, 2011**	(902283)
Item 15	February 07, 2011**	(894627)
Item 16*	February 09, 2011**	(909057)
Item 17*	March 14, 2011**	(916321)
Item 18*	March 29, 2011**	(900642)
Item 19*	April 06, 2011**	(924762)
		(913574)

Item 20	April 28, 2011**	(938001)
Item 21*	May 09, 2011**	(843681)
Item 22*	May 23, 2011**	(945325)
Item 23*	June 07, 2011**	(920562)
Item 24*	June 24, 2011**	(952599)
Item 25*	July 07, 2011**	(933365)
Item 26*	July 18, 2011**	(959280)
Item 27*	August 12, 2011**	(965313)
Item 28*	September 06, 2011**	(955592)
Item 29	September 15, 2011**	(971353)
Item 30*	October 13, 2011**	(964269)
Item 31*	November 10, 2011**	(977513)
Item 32*	November 22, 2011**	(894565)
Item 33	December 15, 2011**	(965148)
Item 34	December 21, 2011**	(965182)
Item 35*	January 05, 2012**	(990581)
Item 36*	January 10, 2012**	(983018)
Item 37	February 03, 2012**	(997942)
Item 38*	February 07, 2012**	(987807)
Item 39	February 28, 2012**	(1003466)
Item 40	March 07, 2012**	(981971)
Item 41	March 20, 2012**	(1010029)
Item 42	April 13, 2012**	(1016424)
Item 43*	May 11, 2012**	(1006401)
Item 44*	May 23, 2012**	(970580)
Item 45	May 31, 2012**	(1024144)
Item 46	June 12, 2012**	(1031540)

Item 47*	July 09, 2012**	For Informational Purposes Only (1013302)
Item 48	July 13, 2012**	For Informational Purposes Only (988460)
Item 49	July 20, 2012**	For Informational Purposes Only (1037916)
Item 50*	August 16, 2012**	For Informational Purposes Only (1046644)
Item 51*	September 04, 2012**	For Informational Purposes Only (1023530)
Item 52	September 07, 2012**	For Informational Purposes Only (1019527)
Item 53*	September 11, 2012**	For Informational Purposes Only (1031004)
Item 54	September 19, 2012**	For Informational Purposes Only (1024045)
Item 55*	October 01, 2012**	For Informational Purposes Only (1060794)
Item 56*	October 02, 2012**	For Informational Purposes Only (1030088)
Item 57*	November 05, 2012**	For Informational Purposes Only (1060795)
Item 58*	November 12, 2012**	For Informational Purposes Only (1030655)
Item 59	December 07, 2012**	For Informational Purposes Only (1036091)
Item 60*	December 19, 2012**	For Informational Purposes Only (1035210)
Item 61*	January 07, 2013**	For Informational Purposes Only (1078917)
Item 62*	January 09, 2013**	For Informational Purposes Only (1044170)
Item 63	January 17, 2013**	For Informational Purposes Only (1056251)
Item 64	February 04, 2013**	For Informational Purposes Only (1078916)
Item 65*	February 06, 2013**	For Informational Purposes Only (1089282)
Item 66*	March 07, 2013**	For Informational Purposes Only (1074224)
Item 67	March 14, 2013**	For Informational Purposes Only (1043142)
Item 68	April 02, 2013**	For Informational Purposes Only (1095676)
Item 69*	April 08, 2013**	For Informational Purposes Only (1075621)
Item 70*	April 12, 2013**	For Informational Purposes Only (1106600)
Item 71*	May 07, 2013**	For Informational Purposes Only (1110277)
Item 72*	June 07, 2013**	For Informational Purposes Only (1088726)
Item 73	June 13, 2013**	For Informational Purposes Only (1117161)

Item 74*	July 09, 2013**	For Informational Purposes Only (1124917)
Item 75*	August 08, 2013**	For Informational Purposes Only (1100738)
Item 76*	August 13, 2013**	For Informational Purposes Only (1050356)
Item 77	August 30, 2013**	For Informational Purposes Only (1129517)
Item 78*	September 12, 2013**	For Informational Purposes Only (1135247)
Item 79*	October 03, 2013**	For Informational Purposes Only (1116489)
Item 80	November 15, 2013**	For Informational Purposes Only (1120785)
Item 81*	November 18, 2013**	For Informational Purposes Only (1140647)
Item 82*	November 22, 2013**	For Informational Purposes Only (1121654)
Item 83	December 09, 2013**	For Informational Purposes Only (1147104)
Item 84*	December 17, 2013**	For Informational Purposes Only (1123827)
Item 85	December 20, 2013**	For Informational Purposes Only (1134919)
Item 86	December 30, 2013**	For Informational Purposes Only (1153174)
Item 87*	January 08, 2014**	For Informational Purposes Only (1124644)
Item 88	January 14, 2014**	For Informational Purposes Only (1139866)
Item 89*	January 17, 2014**	For Informational Purposes Only (1160509)
Item 90*	February 05, 2014**	For Informational Purposes Only (1117011)
Item 91	February 20, 2014**	For Informational Purposes Only (1145848)
Item 92	February 24, 2014**	For Informational Purposes Only (1145841)
Item 93	February 26, 2014**	For Informational Purposes Only (1167154)
Item 94*	March 14, 2014**	For Informational Purposes Only (1174287)
Item 95*	April 10, 2014**	For Informational Purposes Only (1120568)
Item 96	April 21, 2014**	For Informational Purposes Only (1151971)
Item 97	April 22, 2014**	For Informational Purposes Only (1152227)
Item 98	April 25, 2014**	For Informational Purposes Only (1180475)
Item 99*	May 15, 2014**	For Informational Purposes Only (1171498)
Item 100	May 29, 2014**	For Informational Purposes Only (1159088)

Item 101*	May 30, 2014**	For Informational Purposes Only (1165035)
Item 102	June 02, 2014**	For Informational Purposes Only (1165037)
Item 103	June 11, 2014**	For Informational Purposes Only (1187373)
Item 104*	June 18, 2014**	For Informational Purposes Only (1198495)
Item 105*	July 11, 2014**	For Informational Purposes Only (1198496)
Item 106*	August 19, 2014**	For Informational Purposes Only (1171598)
Item 107	August 26, 2014**	For Informational Purposes Only (1171606)
Item 108*	September 04, 2014	For Informational Purposes Only (1173351)
Item 109	September 12, 2014	For Informational Purposes Only (1205778)
Item 110*	September 17, 2014	For Informational Purposes Only (1183786)
Item 111	October 09, 2014	For Informational Purposes Only (1196616)
Item 112	October 13, 2014	For Informational Purposes Only (1196611)
Item 113	October 16, 2014	For Informational Purposes Only (1192149)
Item 114	October 28, 2014	For Informational Purposes Only (1218442)
Item 115*	November 13, 2014	For Informational Purposes Only (1185212)
Item 116	November 18, 2014	For Informational Purposes Only (1224221)
Item 117*	December 08, 2014	For Informational Purposes Only (1211031)
Item 118	December 19, 2014	For Informational Purposes Only (1196025)
Item 119*	January 07, 2015	For Informational Purposes Only (1202924)
Item 120*	January 08, 2015	For Informational Purposes Only (1198098)
Item 121	January 13, 2015	For Informational Purposes Only (1198096)
Item 122*	January 14, 2015	For Informational Purposes Only (1216183)
Item 123*	January 30, 2015	For Informational Purposes Only (1242258)
Item 124*	February 09, 2015	For Informational Purposes Only (1222803)
Item 125	February 10, 2015	For Informational Purposes Only (1222535)
Item 126	February 11, 2015	For Informational Purposes Only (1193273)
Item 127	February 12, 2015	For Informational Purposes Only (1223243)

Item 128	February 13, 2015	(1211308)
Item 129	February 23, 2015	(1248587)
Item 130*	March 06, 2015	(1255487)
Item 131*	April 02, 2015	(1239367)
Item 132	April 29, 2015	(1222408)
Item 133	May 05, 2015	(1262197)
Item 134*	May 15, 2015	(1247019)
Item 135	July 01, 2015	(1252665)
Item 136	July 07, 2015	(1211300)
Item 137	July 13, 2015	

**Investigation applicable for the Compliance History Rating period between 09/01/2009 and 08/31/2014.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
PASADENA REFINING SYSTEM, INC	§	
RN100716661	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2015-0096-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Pasadena Refining System, Inc ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a petroleum refinery at 111 Red Bluff Road in Pasadena, Harris County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During a record review conducted from September 5, 2014 through February 10, 2015, TCEQ staff documented that the Respondent failed to submit written notification to the Houston Regional Office at least 45 days prior to conducting a stack performance test. Specifically, the Respondent submitted testing notification for the Reformate Splitter Heater Unit ("RSHU"), Emissions Point Number ("EPN") HTREF201, only 43 days prior to the stack performance test.
4. During a record review conducted from September 5, 2014 through February 10, 2015, TCEQ staff documented that the Respondent failed to submit a stack performance test report for the RSHU, EPN HTREF201, within 30 days after testing. Specifically, a stack performance test was conducted on January 28, 2011 and the test results were due by February 27, 2011, but were postmarked on March 14, 2011.
5. During a record review conducted from September 5, 2014 through February 10, 2015, TCEQ staff documented that the Respondent failed to comply with the allowable emissions rate during a stack performance test of the RSHU, EPN HTREF201. Specifically, from December 2, 2010 to March 4, 2015, the Respondent exceeded the allowable emissions rate of 2.11 pounds per hour ("lbs/hr") for sulfur dioxide ("SO₂") by 9.1 lbs/hr, resulting in approximately 339,175 pounds ("lbs") of unauthorized SO₂.
6. During a record review conducted from September 5, 2014 through February 10, 2015, TCEQ staff documented that the Respondent failed to test for all required air contaminants emitted from the RSHU, EPN HTREF201. Specifically, during the stack performance test conducted on January 28, 2011, the Respondent failed to test for emissions of sulfur oxides ("SO").
7. During a record review conducted from September 5, 2014 through February 10, 2015, TCEQ staff documented the Respondent failed to comply with the permitted nitrogen oxides ("NO_x") emissions rate of 0.06 pound per million British thermal units ("lb/MMBtu") for the RSHU, EPN HTREF201. Specifically, during the stack performance test conducted on January 28, 2011, the NO_x emissions rate was 0.10 lb/MMBtu, resulting in the release of approximately 41,505 lbs of NO_x.
8. During an investigation conducted on October 30, 2014, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, the Respondent released 3,875 lbs of particulate matter ("PM"), 3.6 lbs of carbon monoxide ("CO"), 23.36 lbs of NO_x, and 35.03 lbs of SO₂ at the fluidized catalytic cracking ("FCC") unit from the FCC Seal Pot Stack, EPN VTFCC003, and 326.6 lbs of PM from the Electrostatic Precipitator Stack ("ESP"), EPN HTBLR010, during an emissions event (Incident No. 203381) that began on September 8, 2014 and lasted for three hours. In response to a potentially hazardous condition, the FCC Regenerator operator followed the procedure of shutting down the ESP and bypassing the boiler, resulting in unauthorized emissions.

TCEQ staff determined that the emissions event could have been avoided by better operational practices.

9. During a record review conducted from July 13, 2015 through July 27, 2015, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, the Respondent released 17,764 lbs of volatile organic compounds ("VOC"), including 637 lbs of hexane, a hazardous air pollutant, from the Udex Fugitives, EPN FUDPU001, during an emissions event (Incident No. 215952) that began on June 17, 2015 and lasted for two hours and 15 minutes. The incident occurred when an elbow in the deadleg portion of the 2-inch Normal Butane Line ruptured in the Udex Unit. TCEQ staff determined that sufficient information regarding the emissions event was not provided.
10. During an investigation conducted on May 22, 2015, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, the Respondent released 25,674.30 lbs of propane and 25.70 lbs of hydrofluoric acid during an emissions event (Incident No. 212848) that occurred on April 19, 2015 and lasted 16 hours and 33 minutes. The release occurred due to a 5-inch by 2.25-inch hole that had developed in a corroded 14-inch flare line after an overpressure event in the Alky 1 Unit. A pressure safety valve in the Alky 1 Unit lifted and sent material through the corroded flare line. TCEQ staff determined that this event could have been prevented by better construction design.
11. During a record review conducted from October 19, 2015 through November 2, 2015, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, the Respondent released 126.20 lbs of PM from the ESP, EPN HTBLR010; 2,232 lbs of PM, 105 lbs of CO, 504 lbs of NOx, 1,104.60 lbs of SO2, and 33.81 lbs of VOC from the Seal Pot Stack, EPN VTFCC003; and 200.02 lbs of VOC, 259.44 lbs of CO, and 26.59 lbs of NOx from the West Flare, EPN FLRFNWEST, during an avoidable emissions event (Incident No. 219281) that began on August 23, 2015 and lasted for 72 hours and 33 minutes. The event occurred when an Uninterruptable Power Supply ("UPS") failed to maintain power during power fluctuations, resulting in releases to the atmosphere and flaring. TCEQ staff determined that the emissions event could have been avoided by better operational practices.
12. The Respondent received notices of the violations on January 15, 2015, February 17, 2015, July 31, 2015, September 7, 2015, and January 20, 2016.
13. The Executive Director recognizes that the Respondent has implemented the following corrective measures to prevent recurrence of emissions events due to the same or similar causes as Incident No. 219281 at the Plant:
 - a. On August 23, 2015, replaced the failed fuse in the West Universal Descriptor Exchange Substation;
 - b. On August 24, 2015, replaced the batteries for the Main UPS and the dedicated UPS in Satellite Instrument House ("SIH") 42; and

- c. On February 1, 2016, initiated a preventative maintenance work order to replace UPS batteries in SIH 42 based on manufacturer's recommendation.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382, TEX. WATER CODE ch. 7, and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to submit written notification to the Houston Regional Office at least 45 days prior to conducting a stack performance test, in violation of 30 TEX. ADMIN. CODE §§ 115.726(a)(2), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit No. 26891, Special Conditions ("SC") No. 17.A., Federal Operating Permit ("FOP") No. O1544, Special Terms and Conditions ("STC") No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b).
3. As evidenced by Findings of Fact No. 4, the Respondent failed to submit a stack performance test report for the RSHU, EPN HTREF201, within 30 days after testing, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 26891, SC No. 17.E., FOP No. O1544, STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. As evidenced by Findings of Fact No. 5, the Respondent failed to comply with the allowable emissions rate during a stack performance test of the RSHU, EPN HTREF201, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 26891, SC No. 1, FOP No. O1544, STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b).
5. As evidenced by Findings of Fact No. 6, the Respondent failed to test for all required air contaminants emitted from the RSHU, EPN HTREF201, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 26891, SC No. 17.B., FOP No. O1544, STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b).
6. As evidenced by Findings of Fact No. 7, the Respondent failed to comply with the permitted NOx emissions rate of 0.06 lb/MMBtu for the RSHU, EPN HTREF201, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 26891, SC No. 2, FOP No. O1544, STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b).
7. As evidenced by Findings of Fact No. 8, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), NSR Permit No. 20246, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
8. As evidenced by Findings of Fact No. 9, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(b)(2)(F) and (c), TEX. HEALTH &

SAFETY CODE § 382.085(b), and NSR Permit No. 56389, SC No. 1. Since sufficient information regarding the emissions event was not provided, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

9. As evidenced by Findings of Fact No. 10, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. 01544, STC No. 17, and NSR Permit No. 56389, SC No. 1. Since the emissions event could have been prevented by better construction design, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
10. As evidenced by Findings of Fact No. 11, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(b)(2)(F) and (c), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit No. 56389, SC No. 1, and NSR Permit No. 20246, SC No. 1. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
11. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
12. An administrative penalty in the amount of \$452,825 is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.051. The Respondent paid \$226,413 of the penalty. Pursuant to TEX. WATER CODE § 7.067, \$226,412 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of two Supplemental Environmental Projects ("SEPs") as defined in the SEP Agreements ("Attachment A" and "Attachement B", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms of this Order, which includes timely and satisfactory completion of all provisions of the SEP Agreements, as determined by the Executive Director.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of \$452,825 as set forth in Section II, Paragraph 12 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be

constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Pasadena Refining System, Inc, Docket No. 2015-0096-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall implement and complete SEPs as set forth in Section II, Paragraph 12. The amount of \$226,412 of the assessed penalty is conditionally offset based on the Respondent's completion of the SEPs pursuant to the terms of the SEP Agreements. The Respondent's obligation to pay the conditionally offset portion of the assessed penalty shall be discharged upon completion of all provisions of the SEP Agreements, as determined by the Executive Director. Penalty payments for any portion of the SEPs deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
3. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement measures and/or procedures designed to prevent a recurrence of emissions events due to the same cause as Incident Nos. 203381, 215952, and 212848;
 - ii. Implement measures and/or procedures to ensure that required stack performance test notifications and stack performance test reports are submitted in a timely manner;
 - iii. Implement measures and/or procedures to comply with the allowable SO₂ emissions rate at the RSHU, EPN HTREF201; and
 - iv. Implement measures and/or procedures to comply with the allowable NO_x emissions rates at the RSHU, EPN HTREF201.
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision Nos. 3.a.i through 3.a.iv as described in Ordering Provision No. 3.d;
 - c. Within 60 days after the effective date of this Agreed Order, perform a stack performance test for SO emissions at the RSHU, EPN HTREF201; and

- d. Within 75 days after the effective date of this Agreed Order, submit written certification of compliance as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.c. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a

written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
10. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
11. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

6/9/17

Date

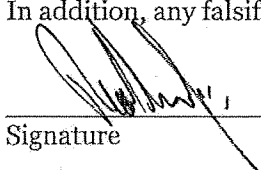
I, the undersigned, have read and understand the attached Agreed Order in the matter of Pasadena Refining System, Inc. I am authorized to agree to the attached Agreed Order on behalf of Pasadena Refining System, Inc, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Pasadena Refining System, Inc waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

4.10.17
Date

Rodrigo Abramof
Name (Printed or typed)

CEO - PRSI
Title

Authorized Representative of
Pasadena Refining System, Inc

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.

Attachment A
Docket Number: 2015-0096-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Pasadena Refining System, Inc
Payable Penalty Amount:	\$452,825
SEP Offset Amount:	\$201,412
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Houston-Galveston Area Council-AERCO
Project Name:	<i>Clean Vehicles Partnership Project</i>
<u>Location of SEP:</u> Angelina, Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Hardin, Harris, Houston, Jasper, Jefferson, Liberty, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Trinity, Tyler, Walker, Waller, and Wharton Counties	

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Houston-Galveston Area Council-AERCO** for the *Clean Vehicles Partnership Project*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to to replace old, higher emission buses that do not meet 2010 Environmental Protection Agency ("EPA") emissions standards ("Old Buses") with new, lower emission buses that meet the most recent EPA emissions standards ("New Buses") or to retrofit or convert Old Buses with emissions reducing equipment. The Third-Party Administrator shall allocate the SEP Offset Amount to public entities such as school districts, local governments, and public transit authorities ("SEP Administrators") that apply for replacement, retrofit, or conversion of buses.

The SEP Offset Amount may also be used for retrofit or conversion technology that brings an Old Bus up to current EPA emissions standards. New Buses may be alternative-fueled. The SEP Offset Amount may be used for up to 100% of the replacement, conversion, or retrofit cost. The SEP Offset Amount will be used only for purchase of New Buses or conversion or retrofit equipment and contract labor for

installation of equipment. The SEP Offset Amount will not be used for financing such a purchase through a lease-purchase or similar agreement.

Retrofitting means reducing exhaust emissions to current standards by installing devices that are verified or certified by the EPA or the California Air Resources Board as proven retrofit technologies. Converting means replacing an engine system with an alternative fuel engine system to bring the Old Bus within the current EPA emissions standards. Buses to be replaced, retrofitted, or converted must be in regular use (driven at least five hundred miles per year for at least the past two years) by the SEP Administrator and must not already be scheduled for replacement in the following twenty-four months. All replaced buses must be fully decommissioned. The Third-Party Administrator shall provide proof of decommissioning to TCEQ for each replaced vehicle by submitting a copy of the TCEQ SEP Vehicle Replacement Disposition Form. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

This SEP will directly benefit air quality by reducing harmful exhaust emissions that contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma. For example, by replacing a 1989 diesel bus with a 2010 ultra-low emission model, passengers' exposure to nitrogen oxides may be reduced by 98 percent; volatile organic compounds by 93 percent; carbon dioxide by 83 percent; and particulate matter by 99 percent. In addition, by encouraging less bus idling, this SEP contributes to public awareness of air pollution and air quality.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Houston-Galveston Area Council-AERCO SEP** and shall mail the contribution with a copy of the Agreed Order to:

Houston-Galveston Area Council-AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to "Texas Commission on Environmental Quality"; and shall mail it to:

Pasadena Refining System, Inc
Agreed Order - Attachment A

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the Project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

Attachment B
Docket Number: 2015-0096-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Pasadena Refining System, Inc
Payable Penalty Amount:	\$452,825
SEP Offset Amount:	\$25,000
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Texas Association of Resource Conservation and Development Areas, Inc.
Project Name:	<i>Tire Collection Events and Cleanup of Abandoned Tire Sites</i>
Location of SEP:	Harris County: San Jacinto River Basin, Gulf Coast Aquifer

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment B.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")** for the *Tire Collection Events and Cleanup of Abandoned Tire Sites* project. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to coordinate with local city and county government officials and private entities ("Partner Entities") to conduct tire collection events where residents will be able to drop off tires for proper disposal or recycling ("Collection Events"), or to clean sites where tires have been disposed of illegally ("Site Cleanups").

Texas RC&D shall ensure that collected tires, debris, and waste are properly transported to and disposed at an authorized disposal site, and if a licensed hauler is needed for tires or other regulated waste collected from sites, Texas RC&D shall ensure that only properly licensed haulers are used for transport and disposal of tires and regulated wastes. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of the Project, including but not limited to supplies, materials, and equipment. Any portion of this contribution that is not able to be spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

This SEP will provide an environmental benefit by providing communities with a free and convenient means for safe and proper disposal of tires and by reducing the dangers and health threats associated with illegally dumped tires.

The health risks associated with illegal dumping are significant. Areas used for illegal tire dumping may be easily accessible to people, especially children, who are vulnerable to the physical hazards posed by abandoned tires. Rodents, insects, and other vermin attracted to dump sites may also pose health risks. Tire dump sites which contain scrap tires pose an ideal breeding ground for mosquitoes, which can breed 100 times faster in the warm, stagnant water standing in scrap tire casings. Severe illnesses, including West Nile Virus, have been attributed to disease-carrying mosquitoes. The potential for tire fires is also reduced by removing illegally dumped tires. Tire fires can result in the contamination of air, surface water, ground water, and soil. In addition, neighborhoods have been evacuated and property damage has been significant due to tire dump sites that caught fire. Illegal tire dumping can also impact drainage of runoff, making areas more susceptible to flooding when wastes block waterways. Open burning at tire dump sites can cause forest fires and erosion as fires burn away trees and undergrowth. Tire dumping has a negative impact on trees and wildlife, and runoff from tire dumpsites may contain chemicals that can contaminate wells and surface water used for drinking.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Texas Association of RC&D SEP** and shall mail the contribution with a copy of the Agreed Order to:

Texas Association of RC&D Areas, Inc.
Attn.: Jerry Pearce, Executive Director
P.O. Box 2533
Victoria, Texas 77902

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment B, including full expenditure of the SEP Offset Amount, as described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP. The Respondent shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment B and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.